

## Family Help Trust Child Protection Policy

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### Document Control

- 1.1 All changes, additions, deletions, or discoveries are relevant and must be recorded.
- 1.2 All changes or proposed amendments should be forwarded to the Executive Director

Amendment Number	Section	Amendment/Change	Date
1	3	'Summary' header replaced with 'Introduction' and reference to the Childrens Action plan removed	01/10/21
2	3	Corrected wording of Section 15 of the Oranga Tamariki Act 1989	01/10/21
3	5	'Responsibilities' section added which includes some statements previously in the 'Principles' Section and addition of FHT's position on the UN Convention on the Rights of a Child	01/10/21
4	7	'Abuse' definitions removed from 'Definitions' section as there are already descriptions of abuse and neglect types in Section 9.  Training statement moved to 'Responsibilities' section	01/10/21
5	9	Previous statements around sharing of information replaced with advice reflecting the changes and additions to the Oranga Tamariki Act 1989	01/10/21
6	10	'Child Safe Practice Guidelines' header replaced with 'Practice Guidelines'.	01/10/21

		Practice Guidelines amended to reflect the different requirements of the three FHT services	
7	Appendix 1	Minor amendments to flowchart	01/10/21

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## 3. Introduction

3.1 Ensuring the wellbeing and safety of children, including prevention of child abuse or maltreatment, is the paramount goal of this organisation. This policy provides guidance to staff on how to identify and respond to concerns about the wellbeing of a child, including possible abuse or neglect.

3.2 Working in child protection as we do is challenging and at times can be stressful. The personal wellbeing of Workers is vital in effectively promoting the safety of children. It is important that workers have access to, and make use of, support from Managers, Supervisors and Colleagues.

- 3.3 The interests of the child will be the paramount consideration when any action is taken in response to suspected abuse or neglect.
- 3.4 This organisation commits to supporting the statutory agencies, Oranga Tamariki and the New Zealand Police, to investigate abuse and will report suspected cases and concerns to these agencies as per the process in this policy.
- 3.5 Our Designated Person for Child Protection, Bill Pringle, will be responsible for the maintenance and annual review of this policy, in addition to carrying out the responsibilities outlined in this policy. Staff will not assume responsibility beyond the level of their experience and training. Our organisation commits to ensure staff has access to the training they need.
- 3.6 A digital copy can be found on our website at [www.familyhelptrust.org.nz](http://www.familyhelptrust.org.nz).
- 3.7 Family Help Trust aims to provide a safe environment in which the safety and wellbeing of the child and young person is paramount.
- 3.8 This policy is in line with the most recent versions of the Children’s Act 2014 and the Oranga Tamariki Act 1989.
- 3.9 Under section 15 of the Oranga Tamariki Act; “any person who believes that a child or young person has been, or is likely to be harmed, ill-treated, abused (physically, emotionally or sexually), neglected or deprived or who has concerns about the wellbeing of a child or young person, may report the matter to Oranga Tamariki or a constable”.

## 4 Purpose and Scope

- 4.1 Our child protection policy supports our staff to respond appropriately to potential child protection concerns, including suspected abuse, neglect or concerns for wellbeing. It is our organisation’s commitment to protect children from abuse and to recognise the key role all our staff have in protecting children.
- 4.2 This policy provides a broad framework of expectations to protect children, including, but not limited to, staff behaviour in response to actual or suspected child abuse and neglect. It applies to all staff, including volunteers and part-time or temporary roles and contractors. It is intended to protect all children that staff may encounter, including siblings, the children of adults accessing services and any other children encountered by staff as they provide their service. In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies i.e., Oranga Tamariki and the Police – this policy will also help our staff to identify and respond to the needs of the many children whose wellbeing is of concern.
- 4.3 Statutory and non-statutory agencies provide a network of mutually supportive services, and it is important for our organisation to work with these to respond to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk.

- 4.4 To ensure that this organisation demonstrates continual improvement in child protection practice, we will work to maintain a good working relationship with child protection agencies and support our staff by providing the necessary training in child development and recognition of abuse and neglect. We also commit to explore opportunities to work with other providers, including from other sectors, to develop a network of child protection practice in our community.
- 4.5 Family Help Trust ensures, to the best of our ability, that our staff are safe to work with children by fulfilling the requirements of the Children’s Act 2014 for safety checking of existing staff and new staff.

## 5 Responsibilities

- 5.1 All staff have a responsibility to discuss any child protection concerns, including suspected abuse or neglect, with their manager/supervisor or the designated person for child protection. It is then the responsibility of both parties to decide on the best response for the circumstances, recognizing that for some children, a statutory response is not necessarily the most appropriate one.
- 5.2 Managers/supervisors or the designated person for child protection have a responsibility to ensure that the appropriate authority is notified when a staff member has a belief that a child has been or is likely to be abused or neglected. This extends to ensuring that all known information about the child, young person and their family/whanau is shared in full with the appropriate authority, to determine the most appropriate response.
- 5.3 Our agency commits to support all staff to work in accordance with this policy and recognizes the need to work in collaboration with both statutory and non-government organizations to protect children. vide a high-quality child protection service to children and their families/ whanau.
- 5.4 Family Help Trust management will ensure service standards of practice are developed and implemented along with appropriate quality assurance measures and that staff are resourced to implement this policy.
- 5.5 We are committed to maintaining and increasing staff awareness of how to prevent, recognise and respond to abuse through appropriate training. As part of their induction, new staff are made aware of the policy on child protection.
- 5.6 Family Help Trust’s Child Protection policy complies with the ‘rights of the child’ as demonstrated in the United Nations Convention on the Rights of the Child (1989), ratified by New Zealand in 1993. It states that the provision of services and protection from abuse are basic rights and must be offered to all children regardless of race, culture, language, gender, disability or religion. Where possible children’s feedback on services should be sought.

## 6 Principles

- 6.1 Family Help Trust is an agency that holds the safety and wellbeing of children at the centre of everything that we do. Our primary purpose is to keep children safe and to assist families/ whanau to provide them with the best possible chance to fulfil their potential.
- 6.2 We believe that children and young persons are our taonga (treasure) and as such have the right to develop physically, emotionally, mentally and spiritually in an environment which is free from harm.
- 6.3 Child abuse is recognized as harmful and has on-going consequences. Family Help Trust services will contribute to the nurturing and protection of children, young persons and their families/whanau, and will advocate for them, as part of their role to promote, protect and preserve child safety and wellbeing.
- 6.4 The family/whānau's primary role in making decisions regarding the safety and wellbeing of their children and young persons will be valued, maintained and strengthened by our services unless we believe that the family are not able to keep the child safe in which case the child's need for safety will be paramount. We commit to sharing concerns about child safety with the family/whanau unless this would result in escalation of risk. **(NB: HIPPY tutors should discuss their concerns with a HIPPY co-ordinator in the first instance, unless the child is in immediate danger of harm.)** Mana Ake kaimahi (workers) should also discuss their concerns with their Mana Ake kaiarihi (team leaders), however the policy of the employing agency (Family Help Trust) is the over-riding consideration.
- 6.5 We recognize the importance of early intervention and the principle of applying the least intervention necessary to protect children. Therefore, we will share concerns with colleagues, the manager, supervisor or the designated person for child abuse in a timely manner.
- 6.6 In all matters relating to the administration of the Oranga Tamariki Act 1989, the safety and wellbeing of the child or young person are the first and paramount consideration, having regard to the principles set out in Sections 5 and 13.
- 6.7 Family Help Trust's provision of service for the care and protection of children and young persons will to the best of our ability, consider the cultural needs of the child and their whanau and we will ensure that important cultural concepts (e.g., tikanga, wairuatanga) are integrated, as appropriate, into practice.

## 7 Definitions

**Child** – any child or young person aged under 17 years and who is not married or in a civil union.

**Child protection** – activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or are at risk of abuse or neglect.

**Designated person for child protection** – the manager/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 child protection policy.

**Disclosure** – information given to a staff member by a child, parent or caregiver or a third party in relation to abuse or neglect.

**Ministry for Children Oranga Tamariki** – the agency responsible for investigating and responding to suspected abuse and neglect and for providing care and protection to children found to be in need.

**New Zealand Police** – the agency responsible for responding to situations where a child is in immediate danger and for working with Oranga Tamariki in child protection work and investigating cases of abuse or neglect where an offence may have occurred.

## 8 Identifying child abuse and neglect

**Our approach to identifying abuse or neglect is guided by the following principles:**

- 8.1 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.
- 8.2 We understand that when we are concerned a child is showing signs of potential abuse or neglect, we should talk to someone, either a manager, supervisor, HIPPY co-ordinator, or the Designated Person for Child Protection – we shouldn't act alone.
- 8.3 While there are different definitions of abuse and neglect, the important thing is for us to consider overall wellbeing and the risk of harm to the child, rather than thinking that we must be able to categorise the type of abuse or neglect.
- 8.4 It is normal for us to feel uncertain, however, the important thing is that we should be able to recognise when something is wrong, especially if we notice a pattern forming or several signs that make us concerned.
- 8.5 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.

#### **8.6 We recognise the signs of potential abuse:**

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

#### **8.7 We are aware of the signs of potential neglect:**

- Physical signs (e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight).
- Developmental delays (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- Emotional abuse/neglect (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).
- Behavioural concerns (e.g., disengagement/ neediness, eating disorders/substance abuse, aggression).
- Neglectful supervision (e.g., out and about unsupervised, left alone, no safe home to return to).
- Medical neglect (e.g., persistent nappy rash or skin disorders or other untreated medical issues).

8.8 This organisation will follow the advice of statutory agencies, including Oranga Tamariki and the Police. If we hear any disclosure or witness any concerning behaviour we should carefully record our observations, impressions and communications and discuss these as soon as practicable with a manager, supervisor or HIPPY co-ordinator. Staff involved in cases of suspected child abuse are entitled to have support from their manager, supervisor or designated person.

## 9 Confidentiality and Information Sharing

9.1 Information sharing is always a real person's story, life and experience. It should be respected and cared for in the same way we respect and care for people themselves. 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.

9.2 Staff may 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).

9.3 The best interests, wellbeing, and safety of tamariki are always the first and most important things to consider.

9.4 Family Help Trust is guided by information sharing provisions in the Oranga Tamariki Act 1989 and holds copies of the Oranga Tamariki document 'Information Sharing to Support Tamariki Wellbeing and Safety Version 1 July 2019'.

9.5 We can make a report of concern to Police or Oranga Tamariki if we are worried that tamariki could be, or are being, harmed, ill-treated, abused, neglected or deprived in any way or have concerns about their wellbeing.

### 9.6 If we think it's in the best interests of tamariki we can:

- proactively and voluntarily share information with professionals who are most able to help tamariki and whānau
- ask other professionals, as well as Oranga Tamariki and Police, to share information with us
- decide if we will share information when asked under a section 66C request from other professionals (but you must respond if Oranga Tamariki or Police require information under section 66).

### We must:

- only share information for the reasons and purposes set out in the provisions
- only share information relevant to the wellbeing or safety of tamariki
- talk with tamariki about sharing their information under section 66C unless it's not appropriate or possible to do so
- follow the Privacy Act 1993 requirements for handling personal information (like keeping information secure).



**We should:**

- keep good records when we have requested and provided information
- agree a timeframe for responding to a request to share information
- get support to make decisions in difficult situations, or if we are unsure how these provisions apply.

**We are generally protected from any kind of civil, criminal or disciplinary action if we share information in good faith.**

9.7 We can expect Oranga Tamariki and Police to consider any request we make for information carefully and to keep in contact with us about it.

9.8 Where Oranga Tamariki and/or the Police are involved with a child we should seek their advice before any identifying information about an allegation is shared with anyone, other than the manager, supervisor or designated person of Family Help Trust.

## 10 Practice Guidelines

10.1 Staff should be aware of both their own safety and that of the child, when speaking to a child on their own and do so in an area easily accessible to other adults. Social workers would usually speak to a parent or caregiver before talking to a child on their own. Mana Ake kaimahi will obtain written consent from parents/caregivers before commencing one to one sessions with a child.

10.2 Staff should avoid the situation of being left with the sole care of a child when in the family's home unless an emergency requires it.

10.3 Usually staff will not be in the position of having to transport a child alone however if there is no other safe alternative, we should get written consent from the parent if possible and definitely verbal consent.

**If you are unsure, please discuss with your supervisor, kaiarahi, manager or designated person.**

### 10.4 If a disclosure of abuse or neglect is made:

- Listen to the child and reassure them that they have done the right thing in telling an adult about what is happening for them.
- Use open-ended prompts to elicit enough basic information to ascertain that the child may be at risk but avoid interrogating them or suggesting who might have been responsible for the alleged abuse.
- Observe how the child is behaving or responding to help assess the risk to them.
- If the child is not in immediate danger re-involve the child in ordinary activities and explain what you are going to do next.

- If the child is in **immediate** danger of physical harm, contact the Police immediately.
- As soon as possible record what the child said, the date, time, location and the names of any other witnesses.

#### 10.5 **Decision-making when a staff member has concerns for the safety or wellbeing of a child:**

- Discuss any concern with the manager, supervisor, HIPPY coordinator or the designated person for child protection.
- **The Mana Ake Service Guidelines state that Mana Ake kaimahi should also consult with their kaiarahi and the school (if a disclosure is made on school grounds) before making a decision although the policy of the employing agency is paramount.**
- **HIPPY tutors should discuss their concerns with the HIPPY co-ordinator who will then consult with the manager on the next steps.**
- There are many ways that the agency and community can respond to concerns about a child's safety or wellbeing and the staff member, supervisor and/or manager and or designated person for Child Protection will plan the appropriate response.
- If the decision is to make a report of concern to Oranga Tamariki, these should be in writing except in urgent circumstances and even then, it is good practice to follow up a phone call with information in writing **NB: (Any written reports of concern to Oranga Tamariki must be sighted by the designated person for child protection before being sent who will record the report of concern in a register).** [REPORT OF CONCERN TEMPLATE OT - Professionals + General Public.docx](#)
- Record in casenotes, details about the concern for the child, any decisions made in consultation with a supervisor, manager, co-ordinator or designated person for child protection and when a report of concern is made. (NB In reports of concern made by Safer Families staff, a copy of the report of concern should be added to the EASI case file under the Referrals Tab).

#### 10.6 **When an allegation of child abuse or neglect is made against a member of staff**

- All matters involving allegations against staff are to be investigated by 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.
- Management will advise employee of the allegation and seek a response (This is subject to the outcomes of discussions with statutory agencies).
- The employee will be advised of their right to seek support/advice from a union or other appropriate representative.

- Management will contemplate removal of employee from client contact, subject to the employment contract.
- Management will maintain close liaison with Oranga Tamariki or the Police until an outcome is reached.

**APPENDIX 1: Flowchart Process for when an FHT staff member has concerns about a child (NB check policy for specific role responsibilities)**

In all dealings of child abuse and neglect, the child's interests are paramount.

