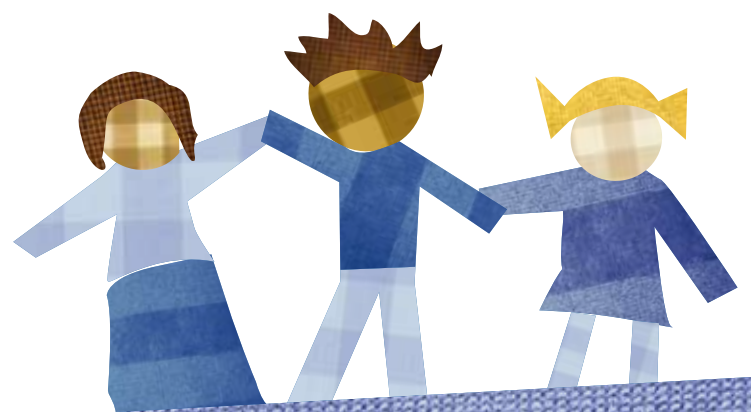


Safer organisations Safer children

Guidelines for child protection policies
to build safer organisations



Children's Action Plan

**Identifying, Supporting and
Protecting Vulnerable Children**

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I. Introduction

The Children's Action Plan

The Children's Action Plan is a framework to protect children. It is a living document that will continue to evolve as New Zealanders learn how to better identify and respond to vulnerable children.

The Children's Action Plan includes a commitment to support organisations to better identify and respond to potential child abuse and neglect; this includes helping organisations to adopt high-quality child protection policies and to build cultures of child protection.

This commitment is reinforced by the Vulnerable Children Act 2014. This places obligations on State services, and organisations contracted or funded by State services to have child protection policies, to review them, and (in some cases) to report on these requirements regularly.

More information on the Children's Action Plan and the Vulnerable Children Act 2014 can be found at: www.childrensactionplan.govt.nz

Child protection policies and child protection cultures

Child protection is about practices that keep children accessing services safe, ensuring that potential abuse and neglect, along with general concerns about child wellbeing, are identified and appropriately responded to. It is key to building a culture of child protection where the safety and security of children is paramount.

High-quality policies and practices, supported by an organisational commitment to a culture of child protection, will support vulnerable children to receive the help they need quickly and appropriately. Child protection policies are living documents that describe the processes and procedures that organisations use to do this.

Child protection policies are important for any organisation that provides services to children or to adults where contact with children may be part of the service. Organisations that provide services to adults who may be caring for or parenting children should also consider developing a policy – for example, adult mental health and addiction services may have opportunities to identify and respond to a problem.

As well as guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies – Child, Youth and Family and the New Zealand Police (the Police) – policies should help staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern without the presence of indicators of abuse or neglect. In many of these cases, the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau.

Throughout New Zealand, statutory and non-statutory agencies provide a network of mutually supportive services and it is important for organisations to work together to respond to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk.

Organisations are encouraged to provide advice to staff to help them determine the nature and level of risk and the appropriate response to meeting the needs of those children and families/whānau where a referral to statutory agencies is not suitable.

Policies should help staff know how to access appropriate support services in the community. Such services include: Strengthening Families, Whānau Ora, Iwi Social Services, Social Workers

in Schools, Children's Teams, family/whānau counselling agencies, budget services, and mental health and drug and alcohol services.

These Guidelines

These Guidelines outline what a good child protection policy should contain, along with links to supporting resources. They are intended to build on existing expertise and to give organisations an opportunity to reflect on their current policies and practices. Advice is also included on how to turn policies into practice and how to drive changes in organisational culture.

The Guidelines will also support organisations reviewing their existing child protection policies (or considering drafting new ones) in response to the Vulnerable Children Act 2014.

To assist navigation, the Guidelines have been broken down into the following sections:

- Section I Introduction: this introductory section defines some key terms and explains the operation of the Vulnerable Children Act 2014.
- Section II Child Protection Cultures and Policy Development: detailed guidelines on developing policies in a way that supports the development of sustainable cultures of child protection.
- Section III Child Protection Policy Checklist: a quick review tool to help organisations identify gaps in their current policies.
- Section IV Content of High-quality Child Protection Policies: detailed guidelines on what should be included in a high-quality policy. Includes links to more detailed resources.
- Section V: Example Policies: a selection of example policies.

You may find useful information in documents produced by other organisations, e.g., Child, Youth and Family's, *Working Together – an Interagency Guide*.

Glossary of terms used in this document

'Child' means a child or young person aged under 17 years (who is not married or in a civil union).

'Child protection' describes 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. It also recognises the role that organisations play in promoting the wellbeing of children and responding to their vulnerability.

'Child protection cultures' 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.

'Child protection policies' are the documents describing the processes and procedures that

organisations use to keep the children accessing their services safe.

'Child protection practices' are the processes and procedures that organisations use to implement their child protection policies.

'Provider, employer or organisation' includes voluntary, commercial, private or independent agencies or organisations providing services for children and families/whānau.

'Safety' means that children are not exposed to a risk of abuse or neglect that could reasonably have been predicted or prevented by the organisation.

'Safer recruitment' means using recruitment processes that help keep children safe, including robust safety checking.

'Staff' means all persons employed or engaged, in both paid positions and as

volunteers, by an organisation.

The link between child protection, family violence, and intimate partner violence

Exposure to family violence or intimate partner violence is a form of child abuse. There is a high rate of co-occurrence between these abuses and the physical abuse of children.

Many children affected by family violence are exposed to family violence in relation to other family members and are often a direct victim of child maltreatment. Children are also injured in the 'crossfire' of a violent assault or attack against an adult primary victim and can be used as 'weapons' by abusive (ex-)partners in the context of family or intimate partner violence.

In Chapter 7 (section 1) of the *Third Annual Report*, the Family Violence Death Review Committee encouraged agencies to systematically incorporate both forms of abuse within their assessment frameworks and to address the double intentionality of family/whānau violence. Though reported incidents of abuse may initially appear to be directed towards a child or an adult victim, practitioners should always consider how abusive behaviour is frequently intended to impact more than the targeted individual.

Operation of the Vulnerable Children Act 2014

Under the Vulnerable Children Act 2014, prescribed State services, district health boards (DHBs), schools and those they contract and fund to provide children's services, are required to have child protection policies

1 Who does the Act apply to?

The following organisations are subject to the requirements in the Act:

The prescribed State services: the ministries of Education, Health, Justice, Social Development, Business, Innovation and Employment, Te Puni Kōkiri, and the NZ Police if the State service is or becomes a provider of children's services. Other agencies may be prescribed in regulations

District Health Boards (DHBs)

Schools: a Board, as defined in section 60, and for the purposes of Part 7 (control and management of State schools), of the Education Act 1989; a sponsor of a partnership school kura hourua; and the manager (or managers) of a private school that is registered under section 35A.

Note: other providers may have child protection policies as a requirement in their contracts or funding arrangements with the organisations mentioned above.

2 What obligations do these organisations have?

To have a policy: These organisations must adopt a child protection policy

To make the policy available: These policies must be available on the website maintained by or on behalf of the organisation

Contracting and funding: These organisations must ensure that every contract, or funding arrangement, that they enter into requires the adoption of child protection policies if:

- The person is a provider of children's services.
- The contract or arrangement (or at least part of it) is for the provision of children's services.

Children's services: services provided to children; to adults in respect of children; or (if prescribed by regulations) to adults living in households with children, where the service may significantly affect the wellbeing of the children.

Review the policy and report: Policies must be reviewed every three years and, for prescribed State services and DHBs, annual reports must report on progress of implementation and compliance with the funding/contracting requirement.

3 What must child protection policies contain?

They must be, at a minimum:

- Written.
- Contain provisions on the identification and reporting of child abuse and neglect.

II. Child protection cultures and policy development

Developing or reviewing a child protection policy is an important opportunity for an organisation to reflect on its culture and to begin the process of changing expectations about practices, attitudes and behaviours that affect the safety of children. This chapter covers the policy development process, with a focus on supporting this process of reflection and cultural change.

Child protection cultures

An organisation with a culture of child protection is open and accountable, understands the needs of children, makes their safety and security paramount and works in partnership with other agencies to meet the needs of vulnerable children.

In contrast, organisations without such a culture will prioritise, either explicitly or implicitly, other interests at the expense of the welfare of children. They may, for example, prioritise protecting their reputation over the safety of a child. There are many well-documented cases where such cultures have led to the harming of children by those entrusted to look after them.

However, organisational cultures are not fixed: clear policies that communicate expectations around attitudes and behaviour can encourage positive shifts.

Organisations with cultures of child protection are ones where:

- Child-centred decision-making informs action, recognising the vulnerability of children.
- There is a culture of staff constructively challenging poor practice and staff feel confident they can raise issues of concern without fear of reprisal.
- They work towards continuous improvement in their child protection practices.
- They recognise the importance of early intervention.
- They support the principle of applying the least intrusive intervention necessary to protect vulnerable children.
- Concerns about the safety of children are taken seriously and responded to quickly.
- There are clear policies and procedures in place that are accessible to staff, along with sources of advice on good practice.
- Staff receive the training they need to respond to the needs of children accessing the service, including understanding the signs and symptoms of potential abuse or neglect, cultural frameworks for working with children and their families/whānau and responding appropriately where a concern is raised or an allegation is made (including ones involving staff).
- Staff understand safe practice. For example, when and how to touch, comfort or discipline children and what is expected of them when they are alone with a child.
- Staff understand the importance of working together, with professionals from other sectors, to better address the needs of vulnerable children.
- Safer recruitment procedures are used.

- Families/whānau seeking help for their children feel safe and trust the quality of support they receive.

Developing child protection policies

The process of developing a child protection policy will be unique to every organisation, however, the following general process should apply:

- Consider whether it is appropriate to designate a responsible person for your organisation's child protection policy.

The Designated Person for Child Protection is the champion for improving child protection practices within your organisation and also a source of advice and expertise for staff seeking assistance.

They should be either a manager/supervisor or someone within your organisation who is knowledgeable on child protection issues, ideally both. They will be the primary point of contact for escalating any concerns about a child, including abuse or neglect.

It is important that the designated person is familiar with the signs of potential abuse, the most effective ways of handling concerns and the legal framework for child protection (including the Vulnerable Children Act 2014). Consider offering professional development for the designated person.

- Collect all existing policies together in one place and check whether any guidance (in addition to these Guidelines) is available specifically for organisations in your sector.
- Bring staff into the policy-making process early so the policy reflects their work environment. This will help staff to understand why the policy is being developed and create a sense of ownership over the process.
- Review current policies against the checklist (page 13) to identify gaps and use these Guidelines to frame discussions about how to address these.

Completed policies will vary based on the size and complexity of each organisation. Some will be unified, while others will be sets of related policies. Some will be long and others short. Larger organisations will need to include more perspectives.

However, this does not mean the policy should be developed in isolation. Consider accessing (or creating) opportunities for services to workshop expertise. Working together helps every provider to develop high-quality policies, with consistent language approaches. It can also bring practitioners from different sectors together to enable shared development conversations that create deeper understanding of the key issues and the practice required to keep children safe.

Using policies to change organisational culture

The existence of a written policy does not establish a safe environment for children. Instead, it should be part of an organisation-wide commitment to change. Below is advice on managing this change:

- **Create the need** – tell the story of why focusing on child protection is important for your organisation. For example, consider that every year between seven and ten children are killed by someone who was supposed to be caring for them and each year there are more than 4,500 reported cases of neglect and more than 14,000 cases of physical, sexual and emotional abuse. Child protection cultures are critical for encouraging new ways of working together to address these harms. Your organisation may also be motivated by the need to

comply with the Vulnerable Children Act 2014 or new contracting, funding, or licensing requirements.

- **Make sure the right people are involved** – organisational leaders need to be involved and strongly promote child protection. People across your organisation with a wide range of roles and responsibilities need to be involved throughout the process. Consider how to include the community, children and families/whānau to raise their awareness of your organisation's commitment and reflect their perspectives and culture in your policy.
- **Communicate simply and clearly** about the focus on child protection, the reasons for this and what it means for staff – use positive and empowering messages, such as, “This policy will help us to do our job and keep children safe” and, “This policy will help keep us safe while we do our job”.
- **Empower staff** – provide orientation and learning opportunities on the child protection policy and reward staff who demonstrate commitment.
- **Make the process manageable** – identify priority areas and provide additional support. Identify quick wins: even simple actions, like displaying the policy in a shared area, can go a long way to demonstrating a commitment to child protection.
- **Make the policy stick** – encourage your staff to keep the policy alive by talking about it and the reasons why it is needed, reflecting on cases, sharing experiences of using the policy, debriefing on what went well and what will be done better next time and mentoring those who are working through the policy for the first time.
- **Continually review** – review your policy at least every three years, but ideally every year, to ensure that the document is updated to reflect changes or improvements in your organisation, stays relevant and is regularly reconsidered as part of organisational life. Some organisations might find it useful to review the policy's effectiveness following incidents when it needed to be used.

The importance of change leadership

While human resources (HR) managers (if your organisation is large enough to have this role) have specialist skills and play a key role in building organisational cultures, a genuine cultural shift requires leadership from the top – the key leaders within your organisation need to understand why change is needed, what needs to be done and how it will happen. They then need to take ownership of this change and to drive it across the organisation.

Good change leaders will, regardless of the size of an organisation:

- Work across a network of key people within the organisation, listening to their views but being clear about the expectations they have for change.
- Challenge the status quo and make the case for change, providing the needed ‘shock’ to those who don't yet see the need.
- Encourage critical reflection and identify quick wins, as well as larger, long-term initiatives to support change – professional development, learning opportunities, identifying barriers to success (e.g., poor communication, a lack of trust) and work to address these.

Ultimately, to support cultural change, child protection policies must become living documents. This means they need to be incorporated into daily business processes, including recruitment and orientation, and professional development. Child protection policies should also be reviewed for alignment with other policies:

- **Recruitment policies** should include safer recruitment practices, including confirming identity, obtaining references, conducting interviews and seeking a Police vet. Although we recommend these policies also apply to volunteers, safety checking under the Vulnerable Children Act 2014 will only be mandatory for paid workers.
- **Supervision policies** should ensure that people (either in paid roles or as volunteers) don't have unsupervised access to children, or information held about children, unless they have been safety checked and the employer continues to have confidence in them.
- **Orientation policies** for paid and volunteer staff should include the child protection policy and child protection practices.
- **Human resources policies** should specifically address the situation where an allegation is made or concern is raised about a staff member's behaviour or actions around children.

III. Child protection policy checklist

Assessing current policies and practices against this checklist will help identify any gaps. Further information about each element of a high-quality policy is provided in the next chapter.

Introduction and principles

- Does the policy contain an overview and summary, including the purpose, intended audience and scope?
- Does the policy contain a purpose statement that outlines why it is needed and what outcomes the policy is intended to achieve?
- Is it clear who the policy applies to?
- Are the principles for making and acting on decisions concerning child protection clearly stated in the policy?
- Are key terms and concepts defined?

Guidelines and protocols

- Is detailed guidance on identifying possible abuse or neglect included?
- Are specific instructions on how to respond to suspected abuse or neglect included (including escalation, reporting and documenting)?
- Are there clear guidelines on how to respond to disclosures by children?
- Is it clear what happens if a concern is raised or an allegation made that involves a staff member?

Additional guidance

- Does the policy provide clear guidance for staff about confidentiality and information sharing?
- Does the policy confirm your organisation's ongoing commitment to appropriate training, development and supervision in child protection?
- Does the policy include information on related documentation and commitments to regularly review the policy?

IV. Developing a child protection policy

This section contains supporting guidelines for each of the sections outlined in the child protection policy checklist. Also included are links to more comprehensive resources.

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1 Policy summary

Overview

The policy summary helps staff immediately understand what the policy covers and highlights key points.

Key information

1. A good summary helps staff quickly identify that the policy is the one they need. It is also useful to restate who the policy applies to and that it also covers contractors and volunteers.
2. The summary is an opportunity to communicate critical information. For example, the name and role of a 'Designated Person for Child Protection'.
3. Consider whether to include a contents page or a quick reference guide for common issues (e.g., a page reference to guidance on responding to suspected abuse or neglect).
4. It is useful to include a statement that the policy is consistent with Child, Youth and Family and Police guidelines and that future revisions will be checked for consistency with these organisations.
5. It can also be useful to include administrative information on the first page of the policy – who authored the policy, who the current owner is, when it was last updated, where a digital copy can be found, when it is due for review and who is responsible for the review.

2 Purpose, scope and principles

Overview

The policy should include a section describing its purpose, the scope of who it applies to, and the principles the organisation is committing to by adopting the policy.

Key information

1. A shared understanding of child protection is an important part of an organisation's child protection culture. The purpose, scope and principles section will provide clarity to people using the policy and emphasise the organisation's key commitments.
2. Consider incorporating elements of the following statements in your purpose statement:
 - a. This policy fulfils our organisation's commitment to identifying and responding to child abuse and neglect and the vulnerability of children in a timely and appropriate way.
 - b. Our organisation recognises that there is increasing awareness that abuse and neglect of children can and does happen and is determined to make a positive difference to this problem.
 - c. This policy is our organisation's commitment to protect vulnerable children from abuse and neglect through its actions, activities and staff.
 - d. This policy provides our organisation with a broad framework and expectations to protect vulnerable children, including (but not limited to) staff behaviours in response to actual or suspected child abuse or neglect.
 - e. Our policy recognises the important role and responsibility of all of our staff in the protection of children by identifying and responding to suspected child abuse or neglect and appropriately responding to concerns about the wellbeing of a child.
3. The policy should also clearly outline the scope of the policy, the child protection responsibilities of all staff and the additional responsibilities associated with certain roles. For example:
 - a. All staff (including contractors and volunteers) 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.
 - b. 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/whānau is shared in full with the appropriate authority, to determine the most appropriate response.
4. The policy should also be clear that it is intended to protect all children staff may encounter – including siblings, the children of adults accessing services and any other children encountered by staff.
5. The policy should include principles or values that inform staff decision-making and help promote your organisation's culture of child protection. These will reflect the unique perspective and context of your organisation. You should involve staff and clients/service users in the formation of these principles because a sense of ownership will make the principles far more enduring.

6. The following principles are common to many children's services and could be a starting point for discussion:
- a. A commitment to work together to produce the best possible outcomes for the child and to work towards continuous improvement in child protection practices.
 - b. Recognition of the culture of the family/whānau, its importance and the rights of family/whānau to participate in decision-making about their children.
 - c. A commitment to develop and maintain links with iwi, Pasifika and other cultural and community groups and to ensure that important cultural concepts (e.g., whakamanawa, whakapapa, te reo Māori, tikanga, kaitiakitanga, wairuatanga) are integrated, as appropriate, into practice.
 - d. Making the safety and wellbeing of children the primary concern, with the child at the centre of all decision-making.
 - e. Recognition of the importance of early intervention and the principle of applying the least intrusive intervention necessary to protect vulnerable children.
 - f. A commitment to open and transparent relationships with clients/service users, including being willing to share concerns about child safety issues with the family/whānau unless this would result in an escalation of risk.
 - g. Recognising the rights of the child to participate, in age-appropriate ways, in decision-making about themselves.
 - h. A commitment to ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response and will do so.
 - i. An organisational commitment to support all staff to work in accordance with the policy, to work with partner agencies and community organisations to ensure child protection policies are consistent and of high quality and to always comply with relevant legislative responsibilities.
 - j. A commitment to share information in a timely way and to discuss any concerns about an individual child with colleagues, the manager/supervisor or the designated person for child protection.
 - k. A commitment to promote a culture where staff feel confident to constructively challenge poor practice and raise issues of concern without fear of reprisal.
 - l. A commitment to meet all existing statutory and contractual obligations, including matters relating to employment.

3 Definitions

Overview

Including clear definitions of key terms and concepts in the policy is helpful for reducing confusion or uncertainty amongst staff and those accessing the service.

Key information

7. Below are some example definitions organisations may wish to adopt:
- a. **Abuse** – the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child.
 - b. **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.
 - c. **Child** – any child or young person aged under 17 years, and who is not married or in a civil union.
 - d. **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.
 - e. **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.
 - f. **Disclosure** – information given to a staff member by the child, parent or caregiver or third party in relation to abuse or neglect.
 - g. **Child, Youth and Family** – 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.
 - h. **New Zealand Police** – the agency responsible for responding to situations where a child is in immediate 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.
 - i. **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.
 - j. **Safer recruitment** – following good practice processes for pre-employment checking which help manage the risk of unsuitable persons entering the children's workforce.
 - k. **Standard safety checking** – the process of safer recruitment that will be mandatory for organisations covered by the Vulnerable Children Act 2014.
 - l. **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.
8. Organisations should also have a detailed understanding 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).
9. 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 Guidance on identifying possible abuse or neglect

Overview

Child abuse and neglect can take many forms. Your policy should contain clear guidance to staff on what indicators to look for.

Key information

1. While there are different definitions and categories of abuse, the important thing is for staff to consider overall wellbeing and the risk of harm to the child. It is not so important to be able to define or categorise the type of abuse or neglect.
2. Staff should feel empowered 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.
3. It is normal for staff to feel uncertain. The important thing is that they can recognise when something is wrong, especially if they notice a pattern, or several signs that make them concerned.
4. Policies should provide information on the indicators of potential abuse. These may include:
 - *Physical signs* (e.g., unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, 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).
5. In addition to a summary, policies should include more detailed guidance as an appendix or through references to other resources. See the examples of resources at the end of this section.
6. Staff also need to be aware of the indicators of potential neglect. More information is detailed in the resources referenced below but the indicators may include:
 - *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
 - *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).

7. Organisations may also consider providing more detailed advice on recognising signs of elevated risk. For example, recognising the family/whānau's circumstances, child characteristics, or parental characteristics that can be evidence of increased risk.
8. Similarly, consider providing guidance on recognising and responding to family/whānau/intimate partner violence, to reflect the strong link between family/whānau violence and child abuse.
9. Policies should emphasise that every situation is different and that 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 or the arrival of a new sibling. Decisions should not be made in isolation and policies should specify who staff should talk to – a colleague, a manager or supervisor or the designated person for child protection. More detail about responding to concerns is covered in the next section.
10. Finally, consider how staff will be familiarised with this information. They may need additional skills development and learning. There should also be a process (as part of regular reviews) to ensure that this information is updated to reflect changing understandings of good practice.

Additional resources

Child, Youth and Family's has developed the *Working Together* guide on inter-agency working to identify and respond to potential abuse and neglect.

<http://www.cyf.govt.nz/documents/about-us/publications/27713-working-together-3-0-45ppi.pdf>

The Ministry of Health has also made guidance available in the health sector:

<http://www.health.govt.nz/our-work/preventative-health-wellness/family-violence/family-violence-guidelines>;

<https://www.health.govt.nz/system/files/documents/pages/child-abuse-neglect-policy.pdf>

See also: Murphy, C. et al. (2013). *Understanding connections and relationships: Child maltreatment, intimate partner violence and parenting*. NZ Family Violence Clearing House. Issues Paper 3. April.

5 Guidance on responding to suspected abuse or neglect and other concerns

Overview

Staff who have a concern about a child need to know how to respond. If this concern is about possible abuse or neglect, they need to know how to contact the statutory agencies (Child, Youth and Family or the Police) to make a referral.

If the concern is more general, then policies should provide advice on how to work with other services in the community to make sure the child and their family/whānau get the help they need.

Key information

1. Policies should clearly state expectations in regard to:
 - a. Responding to a child in immediate danger – referral to the Police.
 - b. Responding to a child when the child discloses abuse or when there are concerns about abuse or neglect – a phone call to the Child, Youth and Family National Contact Centre to discuss appropriate next steps.
 - c. Responding to more general concerns about the wellbeing of a child, where referral to the statutory agencies (Child, Youth and Family or the Police) is not appropriate – e.g., referral to a family/whānau support agency in the community, such as Social Workers in Schools, Strengthening Families or Whānau Ora is more appropriate.
2. Detailed suggestions are provided below. Note: some sectors have protocols on responding to suspected abuse or neglect, for example, there is a protocol between the Ministry of Education; Child, Youth and Family; and the early childhood education sector. These should continue to guide practice.
3. **Responding to a child when the child discloses abuse:**

(i) Listen to the child	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.
(ii) Reassure the child	Let the child know that they: <ul style="list-style-type: none"> • Are not in trouble. • Have done the right thing.
(iii) Ask open-ended prompts – e.g., “What happened next?”	Do not interview the child (in other words, do not ask questions beyond open prompts for the child to continue). Do not make promises that can't be kept, e.g., “I will keep you safe now”.
(iv) If the child is visibly distressed	Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.
(v) If the child is not in immediate	Re-involve the child in ordinary activities and explain what you are going to do next.

danger	
(vi) If the child is in immediate danger	Contact the Police immediately.
(vii) As soon as possible formally record the disclosure	Record: <ul style="list-style-type: none"> • Word for word, what the child said. • The date, time and who was present.

4. **Recording and notifying Child, Youth and Family of suspected child abuse or neglect:**

What process to follow	For example	Key considerations
(i) Recording	Formally record: <ul style="list-style-type: none"> • Anything said by the child. • The date, time, location and the names of any staff that may be relevant. • The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns). • The action taken by your organisation. • Any other information that may be relevant. 	Relevant information can inform any future actions.
(ii) Decision-making	Discuss any concern with the manager/supervisor or the designated person for child protection.	No decisions should be made in isolation.
(iii) Notifying authorities	Notify Child, Youth and Family promptly if there is a belief that a child has been, or is likely to be abused or neglected. A phone call to the National Contact Centre (see below) is the preferred initial contact with Child, Youth and Family as this enables both parties to discuss the nature of the concerns and appropriate response options. Phone: 0508 Family (0508 326 459) Fax: 09 914 1211 email: cyfcallcentre@cyf.govt.nz	Child, Youth and Family will: <ul style="list-style-type: none"> (i) Make the decision to inform the parents or caregivers in consultation with your organisation. (ii) Advise what, if any, immediate action may be appropriate, including referring the concern to the Police.
(iv) Following the advice of Child, Youth and Family	Child, Youth and Family advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police.	Child, Youth and Family is responsible for looking into the situation to find out what may be happening, whether we need to work with the family or to put them in touch with people in their community who can help.

(v) Storing relevant information	<p>Securely store:</p> <ul style="list-style-type: none"> • The record of the concern. • A record of any related discussions, (including copies of correspondence, where appropriate). • A record of any advice received. • The action your organisation took, including any rationale. • This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident). 	Records assist in identifying patterns.
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5. Responding to other concerns

- a. Where a concern about a child doesn't amount to suspicion of abuse or neglect, it could be harmful to the wellbeing of the child and their family/whānau to make a notification to the statutory agencies. Instead, organisations should work to partner with social service providers in their communities to identify and address the needs of the child.
- b. The services available in each community will vary and may include a range of government and non-government providers who will be able to help the child and their family/whānau. For example, Strengthening Families, Whānau Ora, Iwi Social Services, Social Workers in Schools, Children's Teams, family/whānau counselling agencies, budget services and mental health and drug and alcohol services.
- c. Your policy should include contact details for these providers and ways your staff can build good working relationships with them. Empowering staff to appropriately share relevant information is particularly important. Your local Ministry of Social Development office will be able to help identify and build connections with these providers.

Additional resources

The suggested resources for identifying abuse also provide guidance on responding appropriately.

It is important to understand the role of Child, Youth and Family in responding to concerns:

<http://www.cyf.govt.nz/about-us/who-we-are-what-we-do/frequently-asked-questions.html>

<http://www.cyf.govt.nz/documents/working-with-others/dr-information-for-community-providers.pdf>

Note: these documents are to be reviewed in 2015.

6 Additional guidance on allegations or concerns about staff

Overview

The same general process used for recording allegations or concerns about third parties should be used for staff, recognising that employees must be treated properly and fairly and employers must act in good faith. Addressing the needs of the child remains the first priority.

Follow a prompt and fair process that complies with all relevant moral and legal obligations.

Key information

1. Any part of the policy that could have implications for your staff should be considered by a human resources or employment law specialist. This section of the policy (and related amendments, such as to codes of conduct) should be developed and implemented in good faith consultation with your workers and their unions and reflect the content of any code of conduct your organisation has, as well as relevant practice codes that apply to professional staff.
2. As an employer there is a dual responsibility in respect of both the child and the employee. The decision to follow up on an allegation of suspected abuse or neglect against an employee should be made in consultation with Child, Youth and Family and the Police. This will ensure any actions taken do not undermine any investigations being conducted by the external agencies.
3. If it is a child making the allegation or raising the concern, or the allegation/concern regards a child accessing the service, that child must not be exposed to unnecessary risk. This may mean suspending an employee from their duties, subject to the requirements of the applicable employment contract and relevant legal obligations. At the very least separate the child and the staff member.
4. If, after discussion with Child, Youth and Family and/or the Police, there is a need to pursue an allegation as an employment matter, advise the person concerned, inform them that they have a right to seek legal advice and provide them with an opportunity to respond. They should also be informed of their right to seek support from the relevant union/representative body. It is vital to follow ordinary disciplinary policies, guided by the employment contract/collective employment contract and relevant statutory obligations.
5. Historical allegations should be responded to in the same way as contemporary ones, with the same priority. All allegations or concerns should be investigated fully, regardless of the resignation or termination of the staff member concerned.
6. Organisations should adopt clear policies around protection for employees reporting on concerns about the conduct of other staff members. Such policies are important for promoting safe organisational cultures.
7. Provide staff with support during what is likely to be a troubling or traumatic experience. Policies should cover the support available to both the staff receiving the allegation or expression of concern and the staff member against whom the allegation has been made. It is inappropriate, however, for the same person to provide support to the staff member receiving the allegation and to the staff member against whom the allegation is made.
8. Finally, the policy should include a commitment against using, '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.

7

Confidentiality and information sharing

Overview

Sharing the right information with appropriate persons is one way an organisation can safeguard the children accessing its service. Child protection policies should contain clear guidance on confidentiality and information sharing or link to other relevant policies for this.

Information management and confidentiality are sometimes not well understood by staff, which can result in information not being shared in situations where a risk to a child could have been addressed.

Key information

1. The Privacy Act 1993 and the Children, Young Persons, and Their Families Act 1989 (CYPF Act) allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated.
2. Generally, advice should be sought from Child, Youth and Family and/or the Police before identifying information about an allegation is shared with anyone other than the service manager or a designated person for child protection.
3. Under sections 15 and 16 of the CYPF Act, 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 Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.
4. Staff should also understand their obligations under the Privacy Act 1993 (and for health agency staff, the Health Information Privacy Code), namely:
 - a. 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.
 - b. Staff may, 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). As noted above, disclosure about ill-treatment or neglect of a child/young person may also be made to the Police or Child, Youth and Family under sections 15 and 16 of the CYPF Act 1989.

Additional resources

The Office of the Privacy Commissioner has published a set of guidelines *Sharing personal information of families and vulnerable children*, which includes a range of helpful advice about confidentiality and information sharing:

<https://privacy.org.nz/assets/InteractiveEscalationLadder/PRCM1001-escalationLadder-hiRes.pdf>

An older guide from Child, Youth and Family may also be of use:

<http://www.cyf.govt.nz/documents/working-with-others/swis/swis-useful-link-and-tools/reference->



[resources/interagency-information-sharingguidelines.pdf](#)

Finally, organisations should be familiar with the Privacy Act 1993, particularly the 12 Privacy Principles in that Act.

<http://www.legislation.govt.nz/act/public/1993/0028/latest/whole.html#DLM296639> (link to the Privacy Act.)

8

Professional development and safe practice

Overview

Creating a culture of child protection requires that staff have the knowledge, skills and understanding necessary to work together effectively to implement the policies.

Clear policies on training and professional development in the skills of child protection are important for ensuring your organisation grows and develops in this critical area.

Key information

1. Consider who needs to be proficient in child protection and to what level. For example, designated persons for child protection should have sufficient knowledge to provide guidance and expertise across the organisation. Frontline staff should have the skills necessary to recognise and respond to suspected abuse and neglect.
2. Staff should be informed about the content of the child protection policy as part of their orientation. Skills needed to implement the policy should be included in performance management and professional development programmes.
3. Many organisations provide specialist child protection skills development/learning and organisations should consider whether this would be a valuable investment in their staff.
4. Expectations for staff should promote professionalism in working with children, clearly establish roles and expectations of adult behaviour with children and encourage staff to keep their professional and personal lives separate.
5. In addition to topics specifically covered in these Guidelines, consider whether to include statements of expectation for staff about:
 - a. Being alone with children.
 - b. Physical contact, including comforting children in distress, and helping children to dress or use the bathroom (if a necessary part of service delivery).
 - c. Taking children off site, to the staff member's home or transporting children in cars.
 - d. Communicating with children, including use of telecommunications technology.
 - e. Appropriate and inappropriate relationships with children, including over-familiarity, providing gifts, and fostering infatuation.
 - f. The organisation's policies on safe restraint and isolation practices.
 - g. Any other high-risk situations relevant to delivery of services by your organisation.
5. Below are some examples of good child-safe practices:
 - a. To avoid staff being alone with children, all staff should examine the opportunities or possible situations where staff may be alone with children. Wherever possible an open door policy for all spaces should be used (this excludes toilets). Staff should be aware of where all children are at all times.

- b. Visitors should be monitored at all times by staff, and volunteers and outside instructors should be monitored by staff.
- c. If activities require one to one physical contact (i.e., classes in swimming, gymnastics etc) parents and caregivers should be advised.
- d. Where a child requires assistance, e.g., if they are intellectually or physically disabled, if possible involve the parents/caregivers and outside agencies (e.g., in the education sector, the Ministry of Education's Special Education group) to assist. If this assistance is not available, ensure staff members are aware of appropriate procedures when giving assistance.
- e. Staff should avoid being alone when transporting a child, unless an emergency requires it. Except in an emergency, children are not to be taken from your organisation's premises, or from the programme your organisation provides, without written parental consent.

9

Related documentation and review

Overview

Child protection policies need to be living documents that are at the heart of the organisation's day-to-day operations and management.

The child protection policy should also have a section about formal reviews and document storage, and link the policy to other policies within each organisation.

Key information

1. Child protection policies should include a section on formal reviews. These should occur at least every three years but ideally every year. There should be a designated person responsible for this review. Reviewers from outside your organisation can be helpful.
2. Reviews should incorporate the views of staff, managers and leaders within the organisation and seek to gauge the accessibility, relevance and usefulness of the policy. You should also consider any serious incidents that have occurred, review how effective the policy was at responding to them, and consider whether to review the policy to take account of lessons learnt, or at the request of staff.
3. You should include a formal consultation process with staff and their unions.
4. Reviews should also consider developments in child protection theory and any additional guidance produced by government agencies.
5. The policy should also link other policies or documents to consider when reading the policy, including general human resources policies (complaints, performance, review), policies around safer recruitment and those regulating risk management (e.g., policies on transporting children).

V. Example policies

Example policy 1

This example policy is drafted with a small non-government organisation (NGO) in mind, however, it would be suitable for a range of small organisations.

Summary

Ensuring the wellbeing and safety of children, including prevention of child abuse or maltreatment, is a 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.

- The process for responding to a concern about a child is on page X of this policy.

The interests of the child will be the paramount consideration when any action is taken in response to suspected abuse or neglect. This organisation commits to support the statutory agencies (Child, Youth and Family and the New Zealand Police (the Police)) to investigate abuse and will report suspected cases and concerns to these agencies as per the process in this policy.

Our Designated Person for Child Protection, John Smith, 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 have access to the training they need.

This policy was authored by John Smith on 25/11/14. A digital copy can be found on our website at www.smallngoprovider.org.nz/childprotection. The policy is due to be updated on 25/11/15. It is consistent with Child, Youth and Family and Police guidelines and will be updated when new guidance is issued.

Purpose, scope and principles

Our child protection policy supports our staff to respond appropriately to potential child protection concerns, including suspected abuse or neglect. It is our organisation's commitment to protect children from abuse and to recognise the important roles all of our staff have in protecting children.

This policy provides a broad framework and expectations to protect children, including (but not limited to) staff behaviours 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., Child, Youth and Family and the Police – this policy will also help our staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern.

We recognise that in many of these cases, the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. Throughout New Zealand 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. Contact details for agencies and services in our community are provided as an appendix to this policy.

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 to protect children from abuse by consulting with experts with specialist knowledge and providing the necessary training options.

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.

This policy applies to all staff, including contractors and volunteers.

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.
- **Child, Youth and Family** – 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 Child, Youth and Family in child protection work and investigating cases of abuse or neglect where an offence may have occurred.
- **Physical abuse** – any acts that may result in 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.
- **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.
- **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.
- **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).

Training

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.

Identifying child abuse and neglect

Our approach to identifying abuse or neglect is 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 should talk to someone, either a colleague, manager/supervisor or the Designated Person for Child Protection – we shouldn't act alone.
- While there are different definitions of abuse, the important thing is for us to consider overall wellbeing and the risk of harm to the child. It is not so important to be able to categorise the type of abuse or neglect.
- 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.
- 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.

We recognise the signs of potential abuse:

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

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).

Every situation is different and staff will 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.

This organisation will always act on the recommendations of statutory agencies, including Child, Youth and Family and the Police. We will only inform families/whānau about suspected or actual abuse after we have discussed this with these agencies.

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

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

Confidentiality and information sharing

We will seek advice from Child, Youth and Family and/or the Police before identifying information about an allegation is shared with anyone, other than the service manager or designated person. Staff should be aware that:

- 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 Child, Youth and Family 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, 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 Child, Youth and Family under sections 15 and 16 of the Children, Young Persons, and Their Families Act 1989.

Child safe practice guidelines

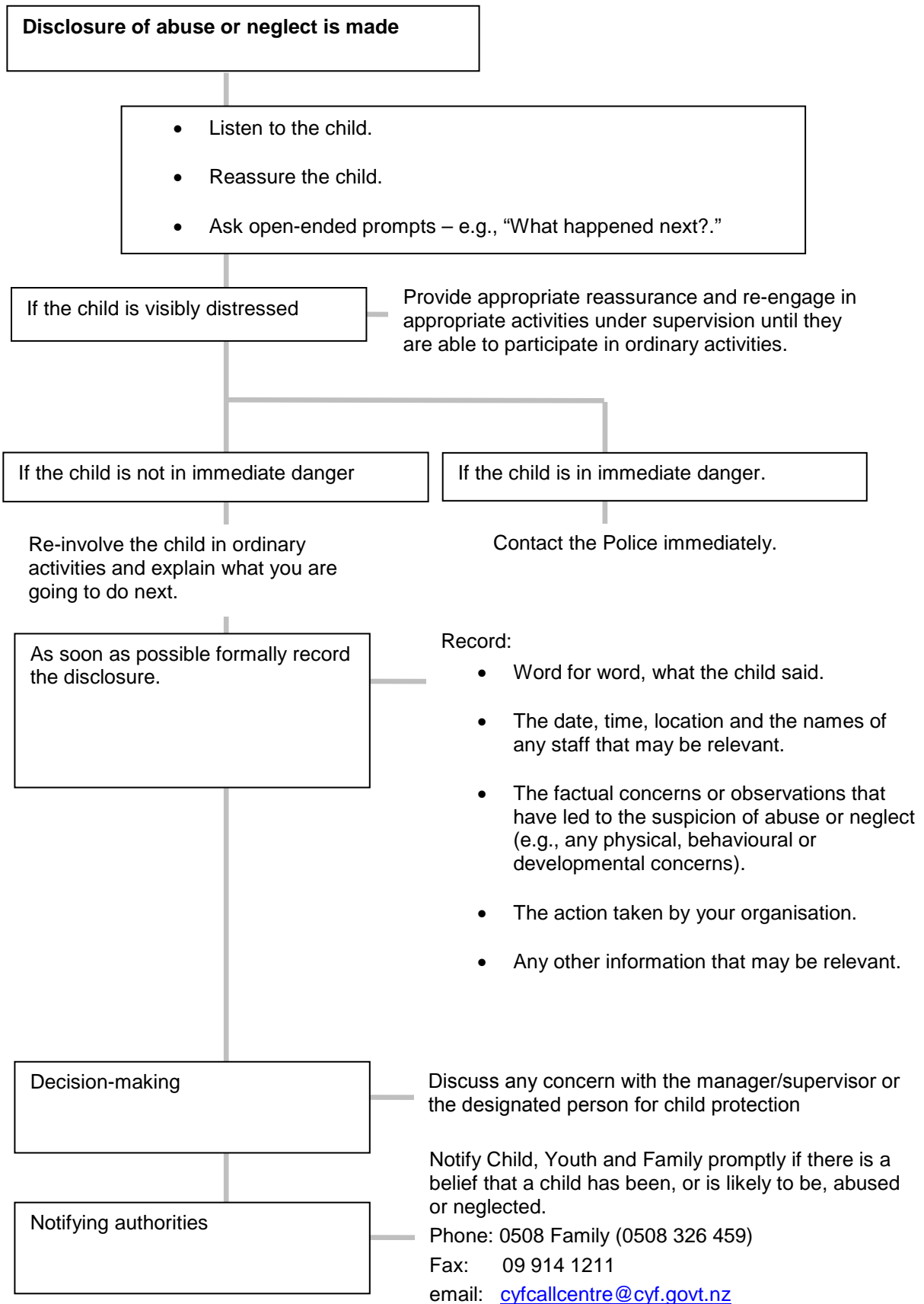
To avoid situations where staff may be alone with children, all staff should examine the opportunities or possible situations where staff may be alone with children. Wherever possible an open door policy for all spaces should be used (excludes toilets). Staff should be aware of where all children are at all times.

Visitors should be monitored at all times by staff and volunteers and outside instructors should be monitored by staff.

If activities require one to one physical contact (i.e., classes in swimming, gymnastics etc.) parents and caregivers should be advised.

Where a child or young person requires assistance, e.g., if they are intellectually or physically disabled, if possible involve the parents/caregivers and outside agencies (in education such as the Ministry of Education's Special Education group) to assist. If this assistance is not available, ensure that the staff members are aware of the appropriate procedures when giving assistance.

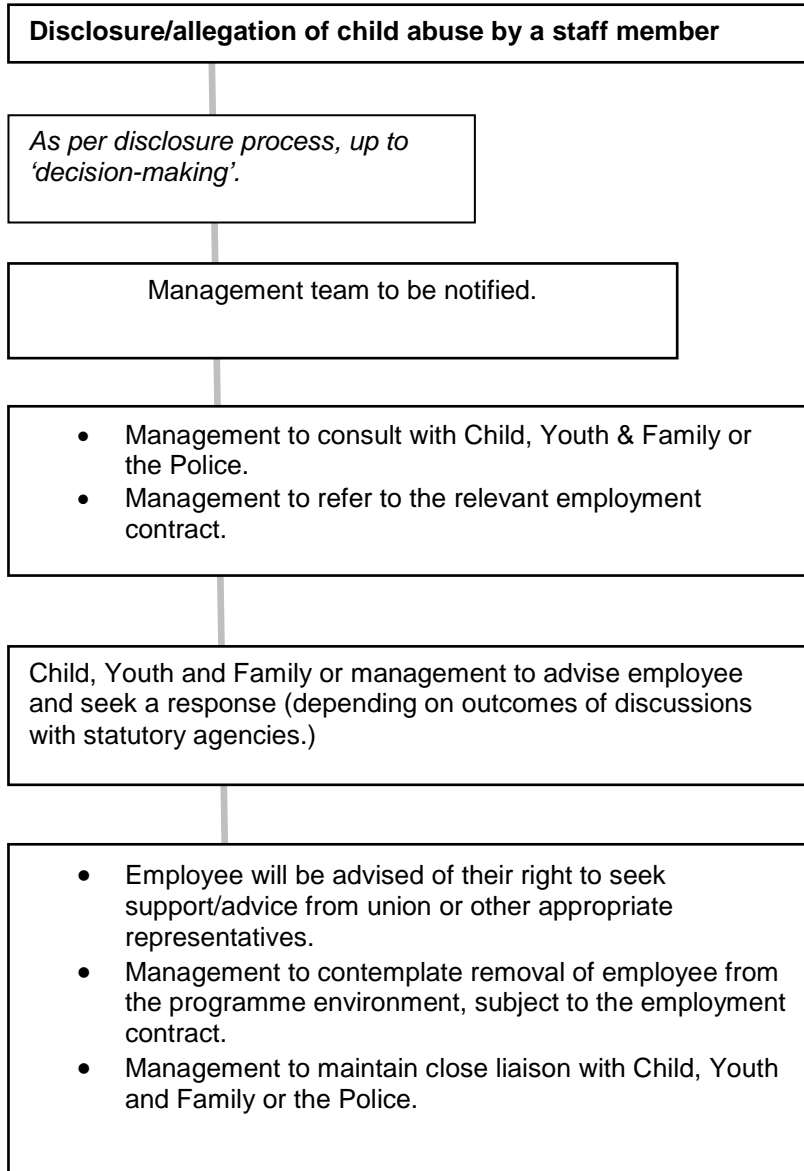
Staff should avoid being alone when transporting a child or young person, unless an emergency requires it. Except in an emergency, children and young people are not to be taken from our organisation's premises, or from the programme we provide, without written parental consent.



When an allegation is 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.

Example policy 2

This example policy is drafted with a larger organisation in mind. It draws heavily from guidance produced by the Ministry of Health to support District Health Boards.

Policy Summary

Purpose statement

To protect the safety and promote the wellbeing of children and young persons aged under 17 years who are receiving services from any staff member of the organisation, or are associated with adults who are receiving services from, any staff member of the organisation.

Policy scope

This policy applies to all staff and should be used wherever abuse or neglect is suspected or identified, regardless of whether the child is a client of the organisation.

Policy principles

- The rights, welfare and safety of the child/ tamariki, young person/rangatahi are our first and paramount consideration.
- Services should contribute to the nurturing and protection of children and advocate for them.
- Services for the care and protection of children are built on a bicultural partnership in accordance with the Treaty of Waitangi.
- Māori children/tamariki, young persons/rangatahi are assessed and managed within a culturally safe environment.
- Wherever possible the family/whānau, hapu and iwi participate in the making of decisions affecting that child/tamariki young person/rangatahi.
- All staff are to recognise and be sensitive to other cultures.
- Staff are competent in identification and management of actual or potential abuse and/or neglect through the organisation's policy and procedural structures and education programme.

Organisational commitment to child protection

Our leadership team will ensure:

- There are organisation-wide policies for the appropriate response to, and management of, child abuse and neglect.
- That the child protection policy and procedures comply with legislative requirements, the principles of the Treaty of Waitangi, clinical audits and best practice standards.
- Organisation-wide procedures exist to provide appropriate, adequate support for, and supervision of, staff affected by child abuse and neglect.

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

- To be conversant with our Child Protection Policy and related policies.
- To understand the statutory referral processes and management of identified or suspected

abuse and neglect.

- To attend initial training, refresher training and regular updates appropriate to their area of work.
- To seek advice when child abuse is suspected or identified.
- We have appointed a Child Protection Coordinator whose responsibilities include:
 - Review the Child Protection Policy and procedure as required.
 - Coordinate a system-wide response to child abuse and neglect.
 - Develop a training plan and ensure initial refresher and advanced training of staff is available cyclically.
 - Ensure documentation tools are in place and accessible to staff for the recording of care and protection concerns (i.e., a Child Protection database).
 - Ensure audit and evaluation tools are in place to assess child protection policy, processes and practice.
 - Ensure regular audits of child protection practice occur.
 - Access and provide resources required to support the programme and make these available for staff and clients.
 - Develop functional internal and external relationships with key stakeholders (government, local government and community-based organisations).
 - Provide support and advice to staff regarding child abuse and neglect.

All public areas within our organisation will display information, brochures and posters pertaining to accessing support and interventions for child abuse and neglect. These must be provided in a range of languages that reflect the cultural diversity of the wider region.

Definitions

Child abuse refers to the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect, or serious deprivation of any child/tamariki, young person/rangatahi (Section 14B 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 – 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, Youth and Family – 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 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.

Identifying possible abuse or neglect

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, (Working Together)). This document should be read in conjunction with this policy.

In brief, staff need to be aware of the indicators of potential abuse and neglect. These indicators as noted in Working Together include:

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

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 or the arrival of a new sibling etc.

Responding to suspected abuse or neglect

In all cases where a member of staff has a concern about a child/tamariki/young person/rangatahi being or likely to be abused or neglected (refer to Definitions) by an adult or another child/tamariki or young person/rangatahi, they will report this to their manager/supervisor and make referrals/notify key staff to assist in the formulation of a plan to address the care and protection concerns.

A referral to Child, Youth and Family may be made at any time.

It is mandatory for all concerns to be reported/referred to the Child Protection Coordinator within a time period which allows for effective consultation/advice to be given.

Our organisation recognises that in some cases the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. Throughout New Zealand 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. Contact details for agencies and services in our community are provided as an appendix to this policy.

Responding to a child when the child discloses abuse:

Listen to the child	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.
Reassure the child	Let the child know that they: <ul style="list-style-type: none"> • Are not in trouble. • Have done the right thing.
Ask open-ended prompts – e.g., "What happened next?"	Do not interview the child (in other words, do not ask questions beyond open prompts). Do not make promises that can't be kept, e.g., "I will keep you safe now".
If the child is	Provide appropriate reassurance and re-engage in appropriate activities

visibly distressed	under supervision until they are able to participate in ordinary activities.
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	Contact the Police immediately.
As soon as possible formally record the disclosure	Record: <ul style="list-style-type: none"> • Word for word, what the child said. • The date, time and who was present .

Recording and notifying Child, Youth and Family of suspected child abuse or neglect:

What process to follow	For example	Key considerations
Recording	Formally record: <ul style="list-style-type: none"> • Anything said by the child. • The date, time, location and the names of any staff that may be relevant. • The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns). • The action taken by your organisation. • Any other information that may be relevant. 	Relevant information can inform any future actions.
Decision- making	Discuss any concern with the manager/supervisor or the designated person for child protection.	No decisions should be made in isolation.
Notifying authorities	Notify Child, Youth and Family promptly if there is a belief that a child has been, or is likely to be abused or neglected. A phone call to the National Contact Centre is the preferred initial contact with Child, Youth and Family (see below) as this enables both parties to discuss the nature of the concerns and appropriate response options. Phone: 0508 Family (0508 326 459) Fax: 09 914 1211 email: cyfcallcentre@cyf.govt.nz	Child, Youth and Family will Make the decision to inform the parents or caregivers, in consultation with our organisation. Advise what, if any, immediate action may be appropriate, including referring the concern to the Police.
Following the advice of Child, Youth and Family	Child, Youth and Family advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police.	Child, Youth and Family is responsible for looking into the situation to find out what may be happening, whether our organisation needs to work with the family/whānau or put them in touch with

		people in their community who can help.
Storing relevant information	<p>Securely store:</p> <ul style="list-style-type: none"> • The record of the concern. • A record of any related discussions (including copies of correspondence, where appropriate). • A record of any advice received • The action your organisation took, including any rationale. • This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident). 	Records assist in identifying patterns.

Allegations or concerns about 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, including the Human Resources disciplinary procedures.

Management will consult with Child, Youth and Family and/or the Police before taking any further actions.

Our organisation commits 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 concerns the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

Confidentiality and information sharing

All observations, after an investigation has been notified, shall be kept in writing but the file will be sealed for confidential reasons.

The Privacy Act 1993 and the Children, Young Persons, and their Families Act 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 CYPF Act, 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 Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.

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 Act 2014.

Training supervision and support

Management will support initial child protection training for all service delivery staff.

All staff with service delivery responsibilities are required to undertake child abuse and neglect intervention training. The training will consist of:

- A three-hour training session.
- Refresher training.
- Advanced training for designated staff.

Related documentation and review

Relevant Legislation

- Vulnerable Children Act 2014
- Care of Children Act 2004
- Privacy Act 1993
- The United Nations Convention on the Rights of the Child (UNCROC)
- Children, Young Persons, and Their Families Act, 1989
- Domestic Violence Act 1995
- Victims' Rights Act 2002

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Authored by	John Smith	25/11/14
Next review	25/11/15	

Example policy 3

This example policy is drafted with a smaller organisation in mind and is modelled on a policy used in an early childhood education setting.

Policy summary

This policy outlines our commitment to child protection. It includes our protocols when child abuse is reported to us or suspected by us. It also includes practice notes on measures to be taken to prevent child abuse. All staff are expected to be familiar with this policy and to abide by it.

Purpose statement

We have an obligation to ensure the wellbeing of children in our care and are committed to the prevention of child abuse and neglect and to the protection of all children. The safety and wellbeing of the child is our top priority when investigating suspected or alleged abuse.

We support the roles of the New Zealand Police (the Police) and Child, Youth and Family in the investigation of suspected abuse and will report suspected/alleged abuse to these agencies.

We support families/whānau to protect their children.

We provide a safe environment, free from physical, emotional, verbal or sexual abuse.

Policy principles

- The interest and protection of the child is paramount in all actions.
- We recognise the rights of family/whānau to participate in the decision-making about their children.
- We have a commitment to ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.
- We are committed to supporting all staff to work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are consistent and high quality.
- We will always comply with relevant legislative responsibilities.
- We are committed to share information in a timely way and to discuss any concerns about an individual child with colleagues or the Person in Charge.
- We are committed to promote a culture where staff feel confident that they can constructively challenge poor practice or raise issues of concern without fear of reprisal.

Definitions

Child abuse: Includes physical, emotional and sexual abuse as well as neglect which is the direct consequence of a deliberate act or omission by an adult and which has the potential or effect of serious harm to the child.

Identifying possible abuse or neglect

To download the Child, Youth and Family 'Signs of abuse and neglect' chart [click here](#).



For information about identifying child abuse see <http://www.cyf.govt.nz/documents/about-us/publications/27713-working-together-3-0-45ppi.pdf>.

This resource produced by Child, Youth and Family is for people in social service agencies, schools, healthcare organisations, community and other groups who have close contact with children and families/whānau. It includes useful information about identifying possible child abuse and an assessment framework. Copies are also available in the office.

Responding to suspected abuse or neglect

To download the '*Child Abuse Reporting Process*' flowchart [click here](#).

All suspicions or observed incidents or reports of incidents should be reported directly to the Person in Charge as soon as possible, who will immediately take steps to protect the child(ren), record the report and report the concern to Child, Youth and Family.

If there is clear evidence or reasonable cause to believe an instance of child abuse having taken place, the Person in Charge shall notify Child, Youth and Family.

In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies (i.e., Child, Youth and Family and the Police), this child protection policy will also help staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern.

In many of these cases the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. Throughout New Zealand 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.

Staff members will discuss suspicions with a senior staff member.

Where appropriate, the person making the allegation will be given a copy of this policy.

Allegations or concerns about staff

When a staff member is suspected, the same processes apply.

If there is a need to pursue an allegation as an employer, consult with Child, Youth and Family or the Police before advising the person concerned, informing them that they have a right to seek legal advice and providing them with an opportunity to respond. They should also be informed of their right to seek support from the relevant union/representative body. It is vital to follow ordinary disciplinary policies, guided by the employment contract/collective employment contract and relevant statutory obligations.

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.

Confidentiality and information sharing

The Privacy Act 1993 and the Children, Young Persons, and their Families Act 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 CYPF Act, 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 Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.

Recruitment and employment (safety checking)

Safety checking will be carried out in accordance with the Vulnerable Children Act 2014. This will include: a police vet; identity verification; references and an interview. A work history will be sought and previous employers will be contacted. If there is any suspicion that an applicant might pose a risk to a child, that applicant will not be employed.

Training, supervision and support

Training, resources and/or advice will be available to ensure that all staff can carry out their roles in terms of this policy, particularly:

- Understanding child abuse and indicators of child abuse.
- How to reduce the risk of child abuse.
- Understanding and complying with legal obligations in regard to child abuse.
- Working with outside agencies on child abuse issues.
- Planning of environment and supervision to minimise risk.
- Dealing with child/parents/family/whānau.

This policy will be part of the initial staff induction programme.

Related documentation and review

This policy will be reviewed at least every three years.