

Child Protection

Introduction

The Pukete Neighbourhood House (PNH) is committed to the prevention of child abuse and to the protection of all children within its care as outlined in the Care of Children Act 2004. This commitment ensures we create an environment which fosters health, development, self-respect, dignity and is free from violence and exploitation. The PNH will report all instances in which we believe (with reasonable grounds) any child or young person to be/have; at risk of significant harm, current concerns about their safety, welfare, wellbeing or health. The PNH will report all concerns to the relevant authorities; Vulnerable Children's Hub, Oranga Tamarki or New Zealand Police. All reports will be made in a manner which at all times ensures the interests of the child are given primary consideration. The PNH will ensure all staff are aware of its child protection policy and procedure. Ensuring staff have a full understanding of their responsibility to report any suspicions and are supported in fulfilling this.

Our Policy in Action

The PNH will:

- Ensure that every reasonable precaution is taken to protect children being cared for by our service from harm
- Educate staff and management to their responsibility to defend children's right to care and protection to ensure their safety, welfare and wellbeing
- Provide training to all staff in recognising and responding to suspected child abuse. Accessing the advice/resources of professional agencies where appropriate
- Be responsible for reporting any children who (with reasonable grounds) may be at significant risk of harm
- Support to an appropriate level any relevant agency in their further investigation of a report

Statutory Legislation & Considerations

- Vulnerable Childrens Act 2014
- Care of Children Act 2004
- Children, Young Persons, and Their Families Act 1989
- Education Act 1989
- Social Sector Accreditation Standards Level 3
- MSD Specialist Accreditation Standard (OSCAR) Level 3

Definitions

"At risk of significant harm" - in relation to a child or young person means that there are current concerns for their safety, welfare or wellbeing because of the presence to a **significant extent** of any one or more of the following circumstances¹.

- The child's or young person's basic physical or psychological needs are not being met or at risk of not being met;
- The parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive medical care;
- The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated;
- The child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm;
- In the case of a child or young person who is required to attend school in accordance with the *Education Act 1989* - the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act; or
- A parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm.

"Reasonable grounds" - means that you suspect a child may be at risk of significant harm based on:

- Your observations of the child, young person or family; or
- What the child, young person, parent or another person has told you. It does not mean that you are required to confirm your suspicions or have clear proof before making a report.

Strategies for Policy Implementation

The Approved Provider/Manager/Programme Supervisor will:

- Ensure that any adult (17 years or older) with direct access to children gives consent and completes police vetting, and ensure their clearance prior to employment;
- Ensure every adult with direct access to children is made aware of the Vulnerable Children's Act 2014, Children, Young Persons, and Their Families Act 1989 and the MSD Social Sector Accreditation Standards Level 3 OSCAR Standards for Approval and Provider Guidelines;

¹ Any such circumstances may relate to a single act or a series of acts

- Orientate every working adult to this child protection policy, supporting procedures and reporter responsibilities; ensuring their regular review of these;

Programme Staff will

- Develop trusting and secure relationships with all children at this service;
- Make reports of current concerns for any child at risk of significant harm to the Programme Supervisor or Management. In consultation with senior management make a report to the appropriate authority; and
- Make appropriate responses to all disclosures of abuse and any allegation of abuse against staff members of this service.

Documentation of Current Concerns

The Approved Provider/Manager/Programme Supervisor will:

- Support staff through the process of documenting and reporting current concerns of children at risk of significant harm; and
- Provide all staff with clear guidelines around documentation and a template to support this.

Programme Staff will:

- Make a record of the indicators observed that have led to the belief that there is a current risk of harm to a child or young person;
- Discuss any concerns with the Programme Supervisor or Manager; and
- Advise the Programme Supervisor of any intention to make a report to the appropriate authority. Reporting should be done in conjunction with senior management.

Making a Report

The Approved Provider/Manager/Programme Supervisor will:

- Provide all staff with direct access to children with a copy of this Child Protection Policy and any information to assist them in their reporting;
- Provide all staff with direct access to children with access to any supporting procedures or documentation; and
- Display contact numbers for all relevant authorities in a readably accessible location for staff, in the interests of timely reporting.

Programme Staff will:

- Consult with Programme Supervisor or Manager, discussing concerns and making a decision on what action to take next;
- In an emergency, where there are urgent concerns for the child's health or life, it is important to contact the Police, using the emergency line "111";
- If determined, that there are reasonable grounds to suspect a risk of significant harm to a child or young person, the staff member (with support of Manager) will contact the relevant authority. Details of authorities can be found further within this document;
- Staff should note that legislation requires that they continue to respond to the needs of the child or young person (within the terms of their work role) even after a report has been made;
- If determined, that a staff member's concerns do not place the child at risk of significant harm, they should discuss with the Programme Supervisor to determine whether the child or family would benefit from the assistance of another agency;
- The staff member will continue to monitor the situation and if they believe there is additional information that could be taken into account, repeat the above steps as required.

Relevant Authorities

Below are relevant authorities of which should be contacted when reporting a child or young person at risk of significant harm. The following are in accordance with section 15 of the *Children, Young Persons and Their Families Act 1989*; (Oranga Tamariki)

- New Zealand Police - 111
- Oranga Tamariki - 0508 FAMILY - (0508 227 377)
- Vulnerable Children's Hub - 0800 FOR OUR KIDS - (0800 367 687)

Alternatively reports can also be made using the Postal Reporting Form available from the Children's Action Plan website: www.childrensactionplan.govt.nz

Disclosures of Abuse

Programme staff will:

- React calmly to the child making the disclosure;
- Listen attentively and later write down the child's **exact words**:
 - Provide comfort and care to the child.
 - Follow the steps for making a report.
- Reassure the child or young person that:
 - It is not their fault;

- It was right to tell;
- It is not OK for adults to harm children - no matter what;
- Explain what will happen now - that is part of your job to tell people who can help the child or young person

Staff will NOT:

- Prompt the child for further details or ask leading questions which would make the child feel uncomfortable or has the potential to jeopardise any future legal proceedings that may arise as a result of any investigation.

Allegations of Abuse Against; Staff, Volunteers, Students or Child

The Approved Provider/Manager/Programme Supervisor will:

- Develop and maintain a system of appropriate record keeping for all allegations to ensure details documentation is made and stored as required;
- Take all allegations of abuse seriously and clarify what is being alleged with the person who is making the allegation;
- Assess whether or not a child or young person is 'at risk of significant harm' and, if so, make a report to the relevant authority;
- Consider whether or not the allegation is reportable to Oranga Tamariki or the Vulnerable Children's Hub;
- Consider whether or not the Police need to be informed of the allegation and if so; make a report once appropriate to do so;
- Ensure confidentiality is maintained at all times and that systems are in place to deal with any breaches of confidentiality;
- Undertake a risk management approach following an allegation to ensure the protection and safety of children, staff and visitors to the service. Based on the risk assessment, decision will be made in order to manage the risks that have been identified;
- Develop an investigation plan of the matter. Obtain relevant information from a range of sources. This may include a statement from the person who made the allegation; statements from the witnesses and a statement from the person whom the allegation has been made and any other relevant documentation;
 - If the allegation is being investigated by; Oranga Tamariki, Hamilton Children's Team, or the New Zealand Police; the service will be guided by their advice as to whether they should independently investigate the allegation;

- If the investigation is carried out by the service, the information that has been gathered will be assessed and a finding made as to whether the allegation is false, vexatious, misconceived, not reportable conduct, not sustained or sustained. The reasons for the finding will be clearly recorded to ensure that the decision- making has been transparent;
- The staff member, volunteer or student will be advised of the outcome of the investigation in writing. Advice will be provided about the investigation finding and any follow up action that may be required.
- The relevant authority will be informed of the outcome of the investigation

Informing the Staff Member, Volunteer or Student

The Approved Provider/Manager/Programme Supervisor will:

- Treat the staff member/volunteer/student with fairness at all times and uphold their employee rights at all times;
- Depending on the nature of the allegation, arrange to inform the person immediately (though be guided by the advice of Oranga Tamariki or the Police);
- Arrange for the person against whom an allegation has been made, to have a support person attend the meeting. This support person must not participate in the discussions throughout the meeting;
- Make accurate documentation of all conversations, and ensure all records are kept confidentially;
- Offer counselling or support to the person subject to the allegation;
- Depending on the nature of the allegation made, the person subject to the allegation may be suspended pending further investigation;
- After all investigations are completed, provide the staff member/volunteer/student with verbal and written notification of the outcome of the investigation.

Rights of all Parties

- The decision making process throughout the investigation will be based on the safety and well-being of the child/ren and the staff member/volunteer/student's household members;
- Consideration will be taken in relation to actual or potential 'conflicts of interest' that may be held by the investigator;
- All reportable allegations will be notified to the relevant authority. The person, against whom the allegation has been made, will be notified of this and will also be notified of the

investigation findings and follow up action, including the notification to the New Zealand Police, if relevant;

- The person, against whom the allegation has been made, will be notified of any appeal mechanisms if they are not satisfied with the investigation process or the outcome of the investigation; and
- The Approved Provider, Programme Supervisor, Manager, or other nominated person who conducts the investigation, will ensure that they act without bias, without delay and without conflict of interest.

Allegations of Abuse against Staff

Where there is an allegation against a staff member, there needs to be a written statement by the person who is making that allegation, whether that is by a child or another staff member. In all circumstances the Manager must be informed as soon as possible, irrespective of whether the manager is on site.

Confidentiality

- The service will handle any allegation of child abuse in a **confidential manner**.

Policy Availability

- This policy will be readily accessible to staff, families and visitors and ongoing feedback on this policy is invited.

Review & Evaluation

- Management and staff will monitor and review the effectiveness of this policy regularly. Updated information will be incorporated as required.
- A full review and evaluation of this policy will be conducted annually.

Supporting Procedures

- Responding to Children at Risk

- Identifying "Abuse" Indicators

Links to Other Policies

- Providing a Child Safe Environment
- Adults Alone with Children
- Complaints Handling
- Staff Training

Sources

- Vulnerable Children Act 2014
- Care of Children Act 2004
- Children, Young Persons, and Their Families Act (Oranga Tamariki 1989
- Education Act 1989
- OSCAR Standards for Approval and Provider Guidelines 2016 - Level 3
- Community Child Care NSW - "NQF in a Box" - Policies 2015