



Child Protection Policy and Procedure

Policy

Purpose

All staff in Cholmondeley Children's Centre are committed to the protection and well-being of children/tamariki and young person/rangatahi, and upholding their right to protection from abuse and/or neglect.

New Zealand has been identified as the third highest country in the industrialised world for child deaths through maltreatment. Child death/maltreatment occurs within a context of poverty, psychological stress, and limited supports. Child abuse occurs across the economic spectrum. Cholmondeley Children's Centre may be the only organisation who has the opportunity to engage with a vulnerable child/tamaiti and families/ whānau and identify where abuse is occurring. We have an obligation to understand how to recognise when a child/tamaiti needs help, and where to go to ensure they get that help.

The purpose of this policy is to ensure all children/tamariki who engage with services provided by Cholmondeley Children's Centre are protected from abuse and neglect through education of staff/kaimahi and the provision of consistent processes.

It outlines the action to be taken by Cholmondeley Children's Centre staff/kaimahi to:

- keep themselves safe
- prevent or minimise the risk of abuse of children/tamariki while they are engaging with Cholmondeley Children's Centre services
- report any concern of any form of abuse or ill treatment
- respond to actual or suspected incidents of abuse, complaints, allegations or disclosure of abuse
- establish what action is required when allegations are made against Cholmondeley Children's Centre staff/kaimahi.

Responsibilities

Overall responsibility for this policy rests with Cholmondeley Children's Centre General Manager but is guided by the Practice Manager/ Social Worker.

Cholmondeley Practice Manager/ Social Worker will:

- be readily available for consultation
- support staff to appropriately work in co-operation with the parents and caregivers, unless this compromises the safety of the child
- advise on best practice in the event of concerns of abuse
- ensure any notes and report of concern are entered into clinical note system
- be available to provide training sessions for staff
- ensure that their contact details are made available on Cholmondeley Children's Centre internal server
- remain informed of current legislative requirements and will advise all staff regarding appropriate actions and responses. Child protection consultants will have a minimum qualification of Bachelor of Social Work.

This policy, and associated procedures and guidelines, applies to all staff working with and for Cholmondeley Children's Centre, and to all children and families who are engaged in activities provided and supported by Cholmondeley Children's Centre.

All Line Managers are responsible to ensure that all staff are aware of the policy, its contents and the implementation of the policy.

This policy will be part of any new staff's induction.

All staff members must:

- be aware of, and alert to, potential indicators of abuse or neglect
- be aware of the risk that potential abusers pose to children including environmental risk factors, (i.e. potential for isolation in rooms/offices in localised settings) that may allow for abuse to occur and act to minimise those risks
- complete an introduction to child protection training, if none has yet been completed¹
- record a factual account of any concerns they have, or that are brought to their attention. This can be written and sent to the Practice Manager/ Social Worker appropriately, who will consult with another member of the Clinical Team about the appropriate next steps.

¹ Delivered by Safeguarding Children- Fundamentals of Child Protection

Principles

1. *Recognise*

Appendix 3 outlines the types of abuse and physical and behavioural indicators. All staff will be familiar with these types of abuse and receive training on recognition.

Time is of the essence when a child's safety is at risk. Do not wait to report suspected abuse. Physical signs of abuse (including injuries/marks and bodily fluids) may be treated as evidence and will need to be processed within a narrow timeframe, so do not delay in addressing your concerns.

Disclosures

If a child makes a verbal disclosure to a member of staff it is important that staff take what the child says seriously. This applies irrespective of the setting, or the staff member's own opinion on what the child is saying.

If a child discloses information regarding actual or suspected child abuse, the staff member must:

- stay calm
- listen to and hear what the child has to say
- give time to the child to say what he/she wants
- reassure him/her it was right to tell
- tell the child that they are being taken seriously and that they are not to blame
- explain that they have to pass on what the child has told them, as soon as they are aware that the child is making a disclosure- giving them an option to pass it on in their own words
- give an age-appropriate explanation to the child of what the child can expect to happen next
- record in writing what was said as soon as possible, using the child's own words where possible.

Staff must not:

- make the child repeat the story unnecessarily
- promise to keep secrets
- enquire into the details of the alleged abuse
- ask leading questions.

2. *Respond*

The below procedures outlines the action to be taken in the event of actual or suspected abuse of a child. Under no circumstances should a member of staff attempt to conduct an investigation or deal with the problem alone. Any incidents, concerns or suspicions must be reported following the procedures set out in Appendix 4- Child Protection Procedure.

The child's wellbeing/safety is the most important consideration (in accordance with Section 6, Children's and Young People's Well-being Act 1989).

At any time, any member of staff who has concerns regarding the safety and protection of a child may ring Oranga Tamariki Ministry for Children (OT) on 0508 FAMILY (0508 326 159) for advice.

The child's legal guardian will be informed if appropriate, however, may not be initially informed in cases where:

- the parent or caregiver may be the alleged perpetrator
- it is possible that the child would be intimidated into silence
- there is a strong likelihood that important evidence would be destroyed, and/or
- the child does not wish the parent or caregiver involved at that stage and is competent to make that decision.

3. Resolve

Cholmondeley Children's Centre has a responsibility to ensure that the alleged offender and his/her family are offered support if available outside of Cholmondeley Children's Centre.

Cholmondeley Children's Centre will provide support to staff and volunteers, including trauma support and/or formalised process of supervision or counselling, as required or requested.

Cholmondeley Children's Centre will ensure that options are provided for ongoing support for the siblings and families of victims while investigations proceed. Where it is not appropriate for Cholmondeley Children's Centre to provide this support, Cholmondeley Children's Centre will refer to appropriate agencies.

If clients are working with NGOs, ensure the appropriate people from that organisation/s are also notified.

4. Report

All reports of concern made to OT must be recorded in FileVision. The Practice Manager/ Social Worker is responsible for the report of concern being entered into FileVision (this is a requirement of OT audit procedures), inputted into the ROC register and ensure the General Manager notified.

An incident report is to be completed for any related issues.

Associated Documents

The Child Protection Policy relates to the following legislation:

- Oranga Tamariki Act 1989
- Children's and Young People's Well-being Act 1989
- Privacy Act 2020
- Crimes Act 1961
- Human Rights Act 1993
- Domestic Violence Act 1995
- Care of Children's Act 2004
- Children's Act 2014
- United Nations Convention on 'The Rights of the Child'
- Employment Relations Act 2000
- Health and Safety at Work Act 2015

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- The Vulnerable Children's Act 2014.

The Child Protection Policy is to be used in conjunction with the following internal existing policies or guidance documents, this list is not exhaustive:

- Privacy Policy
- Safe practices for working alone with children policy
- Bullying and Harassment policy and procedure
- Social Competency Policy and Procedure
- Anti- Discrimination Policy
- Child Illness, Accident/ Injury, Incident, Hazard and Risk Policy and Procedure
- Complaints policy and procedure
- Health and safety procedure
- Medication policy and procedure
- Safety check on new staff/volunteers and visitors- risk assessment
- Vetting policy
- Client Access to Personal Information Policy and Procedure
- Document retention and destruction procedure

Procedure

(For flow charts see Appendix 4)

Managing allegations against staff

Please see below, Appendix 4- Child Protection Procedure 2- Allegations against staff/ volunteers for guidelines.

Cholmondeley Children's Centre ensures that all staff working with children—both paid and voluntary—have been vetted and screened in accordance with The Children's Act 2014. Please see Vetting Policy for further details.

Allegations, suspicions or complaints of abuse by staff, volunteers of Cholmondeley Children's Centre or representatives of other agencies must be taken seriously and reported to the Line manager, who will deal with them immediately, sensitively and expediently within the procedures outlined in this section.

If the allegation or concern is in relation to a Line Manager or a report above they should follow the procedures set out in this section.

If the allegation or concern is in relation to a Team Leader this should be reported to either the Practice Manager or General Manager and they should follow the procedures set out in this section.

The Practice Manager/ Social Worker and General Manager will consult with OT or the police before taking any further action.

Any allegation of abuse should be dealt with sensitively. Cultural and gender sensitivities must be considered when support is provided both for the child and the staff member.

Where an allegation involves a staff member/volunteer, that person may be suspended from duty or attendance while the matter is investigated by the appropriate statutory authorities. Note that any decision to suspend staff must involve consultation and external HR advice.

If Cholmondeley Children's Centre is aware that a member of staff it has placed on precautionary suspension also works with children for another organisation, either as an employee or a volunteer, it should ensure that the other organisation is informed of the suspension and the subsequent outcome. Consultation with OT or the police will determine how this information is conveyed.

The fact that a person tenders his or her resignation, or ceases to provide their services, will not prevent an allegation being followed up in accordance with these procedures.

Child-on-Child Harmful Behaviour

It is important to be aware that children can harm other children. These behaviours can be outside of what may be considered the normal range, and can extend to bullying, violence or sexual assault. Therefore, when a child alleges inappropriate harmful behaviour by another child, then the child protection procedures outlined in this policy must be followed for both children.

Relationships with External Agencies

This section is to ensure good working relationships with appropriate specialist agencies whose role is to protect children from abuse.

The Practice Manager/Social Worker will be responsible for external child protection relationships. The designated staff member responsible for these relationships will:

- maintain a list of key personnel and agencies—including OT and police—providing services to children and families and distribute this list to relevant staff
- maintain active relationships with agencies, advocacy groups and sector lead bodies and key personnel in this field through regular formal meetings and through informal networks between staff
- be familiar with care and protection laws in staff induction and in-service training
- the Practice Manager/Social Worker will be responsible for external child protection relationships in local areas.

Confidentiality and Information Sharing and/or obtaining (To be done in conjunction with Privacy Policy)

The purpose is to identify circumstances under which information may or may not be divulged or gathered to ensure adequate care and protection, and where we are legally obligated to report incidents.

Procedure for sharing information with statutory agencies

This procedure should be followed in conjunction with the Client Access to Personal Information Policy and Procedure.

- confirm identity and credentials of person requesting information (fax or email request on letterhead)
- identify specific information required and purpose—is it relevant?
- check information held—do we actually have the information requested?
- discuss with Practice Manager/Social Worker and identify way forward
- depending on reason for request and risk to children (as judged case-by-case), inform the client that information has been requested, by whom, and seek permission e.g. attendance at a programme). If this is a child protection issue, permission from the client is not necessary
- document all steps in process in FILEVISION including police and OT involvement.
- ensure that all documentation is placed on the client file and/or scanned into FILEVISION client file e.g. email correspondence

It is recommended that any child interviewing by statutory agencies be done through an evidential assessment and not at Cholmondeley Children's Centre (this ensures that Cholmondeley Children's Centre remains as a safe place).

To ensure best outcomes for children, Cholmondeley will enact S66 of the Oranga Tamariki Act 1989 if required.

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Appendix 1: Definitions of Phrases & Abbreviations within Policy

For the purposes of this policy, a **‘child’** or **‘youth’** is someone under the age of 18. The Children Young Persons and Their Families Act 1989 defines a child as a boy or girl under the age of 14.

For the purposes of this policy, **‘staff’** incorporates those who are personnel, employed directly by, or volunteer for, Cholmondeley Children’s Centre. This will also include any students who are on placement at Cholmondeley Children’s Centre.

An employee is a paid worker for Cholmondeley Children’s Centre who performs a job that may be full-time, part-time or seasonal for which he/she has signed an employment agreement.

A volunteer is an unpaid worker for Cholmondeley Children’s Centre who performs a job that may be full-time, part-time or seasonal for which he/she has signed a volunteer worker’s agreement.

OT: Oranga Tamariki Ministry for Children.

Abuse is defined by The Children, Young Persons and their Families Act 1989, defines child abuse as ‘... the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person’.

Physical abuse is a non-accidental act on a child that results in physical harm. This includes, but is not limited to, beating, hitting, shaking, burning, drowning, suffocating, biting, poisoning or otherwise causing physical harm to a child. Physical abuse also involves the fabrication or inducing of illness.

Emotional abuse is the emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may also include age or developmentally inappropriate or unrealistic expectations being imposed on children. It also includes the seeing or hearing the ill treatment of others.

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities (penetrative and non-penetrative; for example, rape, kissing, touching, masturbation) as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviours. Staff should be aware of their duty-of-care which precludes developing a sexual relationship with or grooming of a child. **A sexual relationship between an adult and a child will always be wrong, unequal and unacceptable.**

Neglect is the persistent, wilful failure to meet a child’s basic physical and/or psychological needs, causing long term serious harm to the child’s health or development. It may also include neglect of a child’s basic or emotional needs. Neglect is a lack of action, emotion or basic needs.

Intimate Partner Violence or Family Violence is physical, emotional, sexual and other abuse by someone with whom they have (or have had) some form of intimate relationship, such as marriage or cohabitation, in order to maintain power and control over a person. It is important to be vigilant to any signs, particularly if children are involved

Appendix 2: Procedure for Review

1. This policy will be reviewed every two years, or as changes in law require
2. Annual HR review will review all staff have had completed police and reference checks according to Cholmondeley Children's Centre employment policy
3. All staff have been trained in child protection to the appropriate levels and by accredited providers
4. The child protection policy is accessible to all staff
5. There is evidence of staff having followed the following policy and procedures through quality of reports made and training provided to staff if standards need improving
6. there is evidence of connection to local agencies and services in child protection.

Policy review procedure is to involve:

- SMT to review the policy and training plan
- make necessary changes and updates
- send updated policy out for consultation to staff and the public through Cholmondeley's website

Feedback will be reviewed and the reviewed policy will then:

- Be ratified by the Governance Board
- changes in policy are communicated to the organisation

Appendix 3: Types and Indicators of Abuse

The following information provides a summary of types of abuse and some indicators of abuse. These physical or behavioural signs act as signals to warn and indicate that something might be happening in the life of that child/youth and must be taken note of. However, it should not be automatically assumed that abuse is occurring; talking to the child/youth may reveal something quite innocent. It's important not to dismiss changes in behaviour, fears, worries and physical indicators a child/youth is showing.

Note: These physical or behavioural signs should not be ignored, but it is not the role of the children's/youth worker, leader or helper to become an investigator. Child/youth at risk of abuse may experience more than one or more of the following forms of abuse.

1. Physical Abuse

Physical abuse occurs when a person purposefully inflicts injuries or threatens to injure.

This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. Many non-accidental injuries result from excessive physical discipline. The administration of illegal or inappropriate drugs and medications is a form of abuse.

Behavioural indicators:

- Highly anxious
- Fear of new situations
- Low self-esteem
- Inappropriate emotional responses to painful situations
- Extremes of passivity or aggression
- Drug or alcohol abuse
- Chronic running away
- Compulsive stealing

Physical indicators:

- Bruises
- Burns
- Sprains
- Dislocations
- Bites

Note: Physical signs of abuse (including injuries/marks and bodily fluids) may be treated as evidence and will need to be processed within a narrow time-frame, so there should be no delay in addressing concerns.

2. Emotional Abuse

Emotional abuse of child/youth includes constant criticism, belittling, teasing, constant yelling and withholding praise and affection. It can also be caused by a failure to provide the psychological nurturing necessary for the child's/youth physical and emotional growth and development.

Behavioural indicators:

- Highly anxious
- Fear of new situations
- Low self-esteem
- Inappropriate emotional responses to painful situations
- Extremes of passivity or aggression
- Drug or alcohol abuse
- Chronic running away
- Compulsive stealing

Physical indicators

- Delayed speech or sudden speech disorder

3. Neglect

Neglect is the ongoing willful failure to provide the basic physical and emotional necessities of life, including food, clothing, shelter, emotional security, affection, medical care and adequate supervision.

Behavioural indicators:

- Frequent lateness or non-attendance at school
- Low self-esteem
- Poor social relationships
- Compulsive stealing
- Alienated from peers, withdrawn, pale and listless
- Beggars for food or steals food
- Indiscriminate with affection

Physical indicators:

- Frequent hunger
- Poor personal hygiene
- Constant tiredness
- Inappropriate clothing e.g. summer clothes in winter
- Untreated medical problems

4. Sexual Abuse

Sexual abuse is when a person uses his/her power or authority over a child/youth and takes advantage of their position in the relationship to involve the child/youth in sexual activity of any sort. This can take

many forms: from sexual jokes, innuendo in conversation, showing pornographic images to children/youth, sexual touching and invasive acts.

Behavioural indicator

- Over attention to adults of a particular gender
- Persistent and age- inappropriate sexual activity
- Regressive behaviour: bed wetting, speech loss
- Delinquent or aggressive behaviour
- Self-injurious behaviour: alcohol abuse, self-mutilation, suicide attempts, prostitution
- Signs of depression
- Lack of appropriate role boundaries in family: child/youth fulfils parental role

Physical Indicators

- Injury to genital area or rectal bleeding or bruising
- Frequent UTI
- Signs of STI
- Persistent headaches or recurrent abdominal pain
- Bruises, bite marks, or injuries to breasts, buttocks or lower abdomen

5. Spiritual Abuse

Spiritual abuse is the misuse of a position of power, leadership, or influence to further the interests of someone other than the individual who needs help .

6. Domestic Violence

Domestic violence is violent, abusive and intimidating behaviour perpetrated by one person against another in a personal, intimate relationship causing fear, physical and/or psychological harm. Domestic violence has a profound effect on children/youth and constitutes a form of harm.

Physical Indicators:

- Same signs of physical and emotional abuse

Behavioural indicators:

- Child/youth tells about the situation
- Child acts out the violence at home
- Delayed speech or sudden speech disorder
- Delays in physical, mental or emotional development

7. Bullying

Bullying is defined as unreasonable repeated behaviour towards a person or group of people that creates a health and safety risk.

Unreasonable behaviour covers actions which a reasonable person wouldn't do in similar circumstances, including but not limited to victimising, humiliating, intimidating, and threatening.

Repeated behaviour means behaviour that is persistent and can include a range of actions. A single incident isn't considered bullying but can escalate if ignored.

Some of the same indicators of emotional abuse can be seen in victims of bullying.

When bullying is not addressed, victims may feel worthless, at fault for not coping with the bully, defeated and fearful. The message learnt by the bully when their behaviour is minimised or ignored is just as harmful. They learn to use power over people, to control people using fear, that dealing with situations using anger and fear works, and that they have the right to attack anyone weaker than themselves.

8. Cultural Abuse

Allowing—actively or passively—any form of abuse or neglect considering such behaviour and actions as a part of the service user's culture.

9. Discrimination

Limiting choices not based on the needs or ability of the service user, but made with prejudice about ethnicity, race, gender, sexual orientation, religion.

10. Institutional abuse

Allowing—actively or passively—any form of abuse or neglect considering such behaviour and actions as a part of the service/programme/treatment.

11. Material/Financial

Improper exploitation or use of funds or other resources that are the property of the service user, this includes deprivation of treatment, food or care.

12. Vicarious

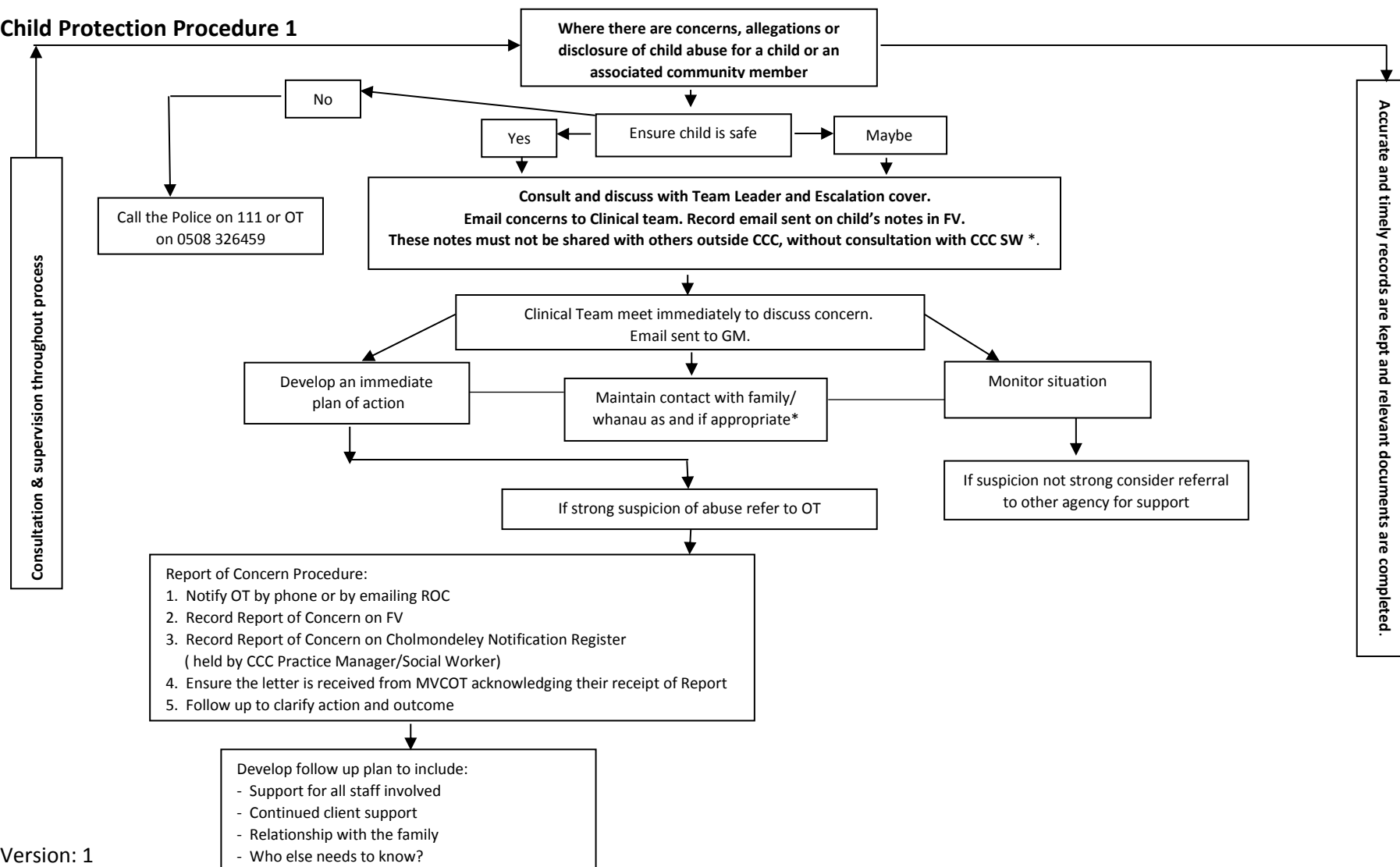
Bearing witness to another's trauma.

13. Other

Destruction of treasured possessions, harm to pets, etc.

Appendix 4

Child Protection Procedure 1



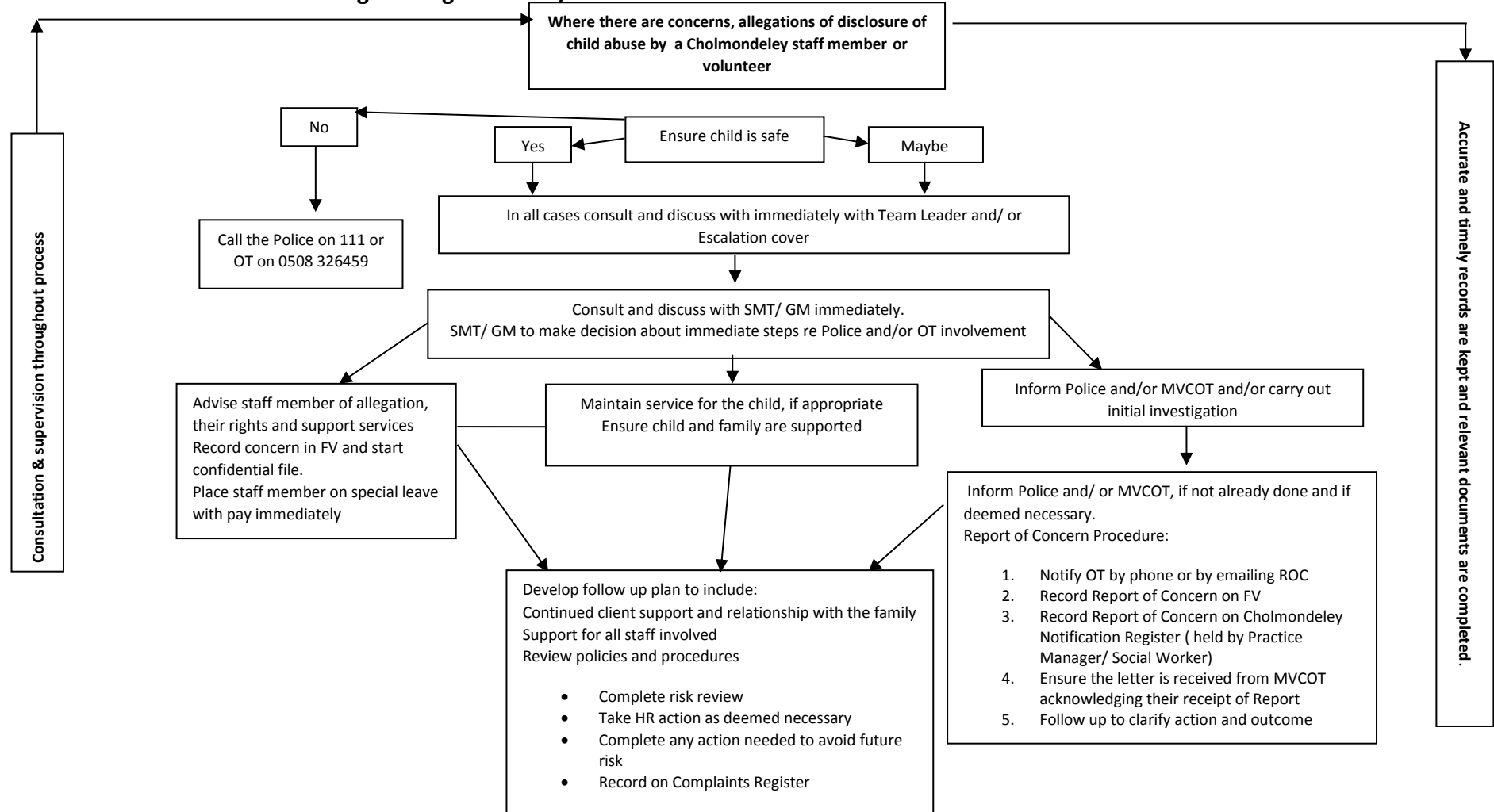
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Child Protection Procedure 2- Allegation against staff/ volunteers



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