



FAMILY START

He Matapuna Ora Charitable Trust

CHILD PROTECTION POLICY AND PROCEDURES

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| <p>POLICY STATEMENT</p> | <p>HMOT - Family Start is committed to the care and protection of children and young people. This commitment always means that the safety of the child or young person will be paramount.</p> <p>Family Start has a process for dealing with allegations of abuse and situations that raise concerns about the safety of a client or associated community member. Family Start promotes awareness of the unacceptability of abuse, ways in which abuse may be prevented, the need to report all cases of abuse and how to respond to all types of abuse, including physical, emotional, or sexual harm; ill-treatment; neglect or deprivation, either passive or active.</p> |
| <p>PURPOSE</p> | <p>This procedure has been developed to ensure there are clear guidelines to ensure effective ways to safeguard children and any associated community member. This has been written under the principle that children engaged with Family Start have a right to feel safe and comfortable in that contact.</p> <p>The procedure will be reviewed and updated every three years or if there are changes in legislation and associated policies and procedures or changes in Family Start's operational responsibilities.</p> |
| <p>SCOPE</p> | <p>The scope of this procedure covers all children (and associated community members) who interact with Family Start, during any engagement with clients.</p> <p>This procedure is to be followed by all Family Start staff.</p> |
| <p>RESPONSIBILITIES</p> | <p>Trustees: To ensure risk management procedures relating to child abuse are established and monitored.</p> <p>Manager:</p> <ul style="list-style-type: none"> • To act on suspicion or allegations of abuse in conjunction with the supervisor. • To seek cultural advice where appropriate. • To ensure training is offered to staff. • To ensure staff work to Family Start policies and procedures. |

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| | <ul style="list-style-type: none"> • To oversee implementation of related policies. • To report on child abuse matters to the Trust either in a generic way or when it becomes a risk to the Trust. <p>Supervisor:</p> <ul style="list-style-type: none"> • To receive and act on concerns from staff relating to child abuse. • To report alleged abuse to Oranga Tamariki and the Family Start Manager. • To seek cultural advice where appropriate • To coordinate training on abuse issues <p>All kaimahi:</p> <ul style="list-style-type: none"> • To act on concerns as per principles and procedures • To report at all stages to Supervisor/Manager • To participate in training. |
| <p>DEFINITIONS</p> | <p>For the purpose of this procedure: “Child” means a person who –</p> <ul style="list-style-type: none"> (a) Is under the age of 18 years; and (b) Is not married or in a civil union (Vulnerable Children’s Act, 2014 – Part 1) <p>Associated community members is defined as anyone associated with a client but most commonly will include those living in the home.</p> <p>“Child Abuse” is defined as “...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation (the damaging lack of material benefits considered to be basic necessities in a society) of any child or young person”. (Oranga Tamariki Act, 1989 s.15)</p> <p>“Physical abuse” is a non-accidental act on a child that results in physical harm, for example, hitting with or without an object, punching, kicking.</p> <p>“Emotional abuse” is the persistent emotional ill treatment of a child, for example, verbal abuse, threats, intimidation, contempt, put downs etc., such as to cause severe and persistent adverse effect on the child's emotional development.</p> <p>“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.</p> |

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| | <p>“Neglect” is the persistent failure to meet a child's basic physical and/or psychological needs, including cognitive stimulation and interaction, causing long term serious harm to the child's health, wellbeing, or development. Neglect is a lack of responsibility to care for a child emotionally, physically, mentally and to withhold loving kindness which is a basic need for all human beings.</p> <p>“Family Violence” is physical, emotional, sexual harmful encounters witnessed or experienced within the family / whanau or primary caregivers. This could be in a marriage situation, cohabitation, foster parent, or family / whanau relationship.</p> |
| <p>RESOURCES REQUIRED</p> | <p>Children’s Act, 2014 Oranga Tamariki Act, 1989 Report of Concern template Professional Body Code of Conduct, for example, NZAC, SWRB, Family Start’s Code of Conduct Police Vetting forms</p> |
| <p>PROCEDURE</p> | <p>1.0 <u>Introduction:</u></p> <p>The organisation provides services which reflect the principle that the welfare and interests of the child or young person are first and paramount and where the wellbeing of all is upheld.</p> <p>1.1 All concerns of potential, suspected or alleged abuse, whether they are a client or associated community member, must be brought to the attention of Family Start’s Designated Person(s) (DP) for Child Protection. A decision will be made as to whether to seek further advice or notify Oranga Tamariki.</p> <p>If a child makes a verbal disclosure to a Family Start worker it is important that the worker take what the child says seriously. Under no circumstances should kaimahi attempt to conduct an investigation or deal with concerns regarding child abuse alone.</p> <p>All decisions taken, including if the concern does not require notifying Oranga Tamariki, must be recorded in writing and kept securely in the Child’s file with the reasons clearly identified and explained.</p> <p>Following the decision to notify Oranga Tamariki, a Report of Concern (ROC) will be made either on the Oranga Tamariki ROC Template or via Oranga Tamariki’s call centre. These matters can also be reported to the Police by Family Start kaimahi.</p> |

1.2 **Evidence will include:**

- Written clinical record of concerns, decision making process and outcome (either to seek further advice, to notify Oranga Tamariki and/or Police, or not to notify)
- Copy of Report of Concern on clinical file

2.0 **Safe Recruitment of Kaimahi:**

Family Start has procedures for identifying and assessing that all kaimahi who have contact with children, whether directly or indirectly, are safe. This includes how they are recruited and what safety checks are undertaken.

2.1 All appointments (permanent, fixed term, student, casual or volunteer) to positions that have direct and/or frequent contact with children or young people will be conditional on a safety check. Further information regarding Safety Checks, including vetting and screening procedures, is found in the Staffing Policy, Recruitment Procedure and Vetting Procedure. (Staffing, Standard 4, Social Sector Standards Level 2).

Before making any appointment, Family Start will undertake a series of checks to ascertain the candidate's suitability and safety to work within Family Start. These will adhere to the statutory obligations contained within the legislation such as the Privacy Act, the Human Rights Act and Vulnerable Children Act.

All appointments will follow the requirements of the Staffing, Standard 4, Social Sector Standards Level 2 which outlines:

- The provision of a clear job description and person specifications.
- An application form and CV will be required from candidates.
- Verification of identification will be undertaken.
- Verification of qualifications (and registration where appropriate) will be undertaken.
- Safety checks which include police check and personal reference checks.
- Kaimahi selection will be undertaken by a person knowledgeable and experienced in the field of child protection.

2.2 **Evidence will include:**

- Kaimahi recruitment records kept by Manager in secure file.

- Kaimahi safety check records kept by in a secure file.

3.0 **Training of Kaimahi:**

Family Start has a commitment that all kaimahi who have contact with children, whether directly or indirectly, are able to promote the child's best interests. This includes mandatory training to support the understanding of child abuse.

All kaimahi will receive child protection training at the level appropriate to the appointed role. The Designated Person(s) for Child Protection will undertake more intensive training in child protection.

All kaimahi will update child protection training every two years as a minimum.

3.1 **Evidence will include:**

- Family Start Training records kept in a secure file.
- Individual kaimahi training records kept by individual practitioners.

4.0 **Safe Working Practices:**

This section outlines the expected behaviours of kaimahi that ensure they are working safely. Providing clear guidelines on kaimahi behaviours ensures consistency of actions that keeps both children and kaimahi safe.

4.1 All kaimahi are expected to behave in manners consistent with Code of Conduct related to their specific Professional Body Registration and Family Start's Code of Conduct.

4.2 All kaimahi have been trained to maintain appropriate professional boundaries and to avoid behaviour which might be misinterpreted by others.

4.3 **Evidence will include:**

- HMOT Family Start's Code of Conduct
- Professional body specific Code of Conduct, for example, Social Work, Nursing etc
- Minutes of Team discussions
- Training records kept in secure file.

5.0 **Allegations against kaimahi:**

Allegations of inappropriate behaviour, for example, touch of body parts, hitting / slapping, making fun of, put downs, harsh tone of voice, shouting, over-gifting etc, towards a child against a kaimahi member: All concerns or allegations raised by a child, family member or other

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| | <p>persons against kaimahi will be taken seriously, reported and investigated appropriately, with the safety of the child paramount.</p> <p>5.1 The allegation and/or concern will be referred to the Manager (in the case of allegation against Manager to the Chair of Board of Trustees). The Manager will deal with them immediately, sensitively, and expediently and in accordance with Family Start's policies and procedures, Social Sector Standards Level 2.</p> <p>If the Police decide to undertake a criminal investigation, then the kaimahi may be suspended, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation.</p> <p>Family Start will seek advice from an employment lawyer to ensure they work within the parameters of the employment act.</p> <p>It is NOT the responsibility of Family Start Manager or kaimahi to investigate allegations of child abuse.</p> <p>5.2 <u>Evidence will include:</u></p> <ul style="list-style-type: none"> • Concerns recorded in kaimahi personnel file and kept in secure file. • Copy of Report of Concern in child's file (if appropriate) • Copy of report to Police (if appropriate) on child and/or kaimahi file and kept securely. |
| <p>PRECAUTIONS & CONSIDERATIONS</p> | <p>There needs to be an awareness at all times of the dynamics of the relationship between kaimahi and client. A relationship between an adult and a child or young person cannot be a relationship between equals. There is a potential for exploitation and harm of vulnerable young people.</p> <p>This can also be true of the relationship between a client and a kaimahi member. Family Start kaimahi have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.</p> |
| <p>REFERENCES & RELATED DOCUMENTS</p> | <p>Care of Children Act 2004 Code of Conduct – Family Start Code of Ethics (ANZASW, NZAC, etc) Crimes Act 1961 Domestic Violence Act 1995 Employment Relations Act 2000 Health Act 1956</p> |

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| | Health and Disability Commissioner Act 1994 Health and disability Sector Standards Regulations 2001 Health and Disability Services (Safety) Act 2001 Health and Safety at Work Act 2015 Health Information Privacy Code 1994 Health Practitioners Competence Assurance Act 2003 Human Rights Act 1993 New Zealand Public Health and Disability Act 2000 Oranga Tamariki Act 1989 Privacy Act 2020 Protective Disclosures Act 2000 Resolution of Complaints Procedure Social Sector Accreditation Standards – NZ Govt.2016 The HDC Code of Health and Disability Services Consumers' Rights Regulation 1996 Te Tiriti o Waitangi - The Treaty of Waitangi Children's Act 2014 |
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| Date Developed: June 00 | Developed By: Policy Team |
| Next Review Due: May 2026 | Last Reviewed: May 2023 |
| Location: Operational | Approved By: HMOT |

Child Protection Protocols

In all dealings of child abuse and neglect, the child's **Interests are Paramount.**

**IS THERE AN ACTUAL, SUSPECTED
OR POTENTIAL ABUSE OR NEGLECT SITUATION?**

YES **follow steps (detailed instructions follow):**

1. Ensure child/ren are safe.
2. Contact your Supervisor (who will consult with Manager, as required), or if not available, Manager.
3. Keep accurate and timely records.
4. Develop an immediate plan of action with your Supervisor:
 - a) Notify the Manager that a report of concern is imminent.
 - b) Notify Oranga Tamariki by phone 0508 326 459 and discuss the situation with a duty social worker.
 - c) Complete report of concern and when approved by your Supervisor, email to contact@ot.govt.nz
5. Follow-up with Oranga Tamariki to ensure that the notification is being processed.
6. Seek support for yourself.
7. Develop a follow-up plan with Supervisor which may include any or all the following:
 - a) Maintaining contact with the family
 - b) Rebuilding the Whanau Worker – Client family relationship
 - c) In cases where the child/ren are placed away from the family, assist with the access arrangements and or the re-integration process.
 - d) Supporting the family to address the issues which contributed to the situation. requiring the involvement of Oranga Tamariki.
 - e) Continuing close observation of the whanau situation in cases where this is necessary.

MAYBE follow steps:

1. Discuss situation with your Supervisor as soon as possible to develop an action plan.
2. Document concerns accurately.
3. Notify Manager and arrange an in-house case consultation.
4. Alert Oranga Tamariki of concern if appropriate.
5. Monitor situation (*home-visits, sighting the child/ren*) carefully for as long as necessary.

NO follow steps:

1. Document concern/s and incident carefully.
2. Discuss situation during supervision.