



**TE POU ORANGA O
WHAKATŌHEA**

Whānau Ora, Hapū Ora, Ka Ora ai te Iwi

Whakatōhea Social & Health Services

7.0 CHILDREN AND YOUNG PERSONS, CHILD PROTECTION POLICY

7.1 Introduction

Whakatōhea Social & Health Service provides services for children and young persons. Whakatōhea Social & Health Service will provide services that comply with legislation and are sensitive to and cater for the particular needs of children and young persons. This could occur when the child or young person, are under the care of a parent/guardian/caregiver receiving Whakatōhea Social & Health Service services, or when they themselves are receiving support or participating in a Whakatōhea Social & Health Service child specific programme or service.

It is Whakatōhea Social & Health Service policy to actively ensure participation of Whanau, Hapu, and Iwi in all aspects of service delivery to children and young persons. The welfare and interests of the child or young person is paramount at all times. Where reasonable and appropriate, the child or young person are made aware and are informed of all aspects of their care management.

For children or young person's 17 years of age and under receiving Whakatōhea Social & Health Service services, their parent/guardian/caregiver is required to sign their consent form. In circumstances where the safety of a child or young person would be compromised by seeking parental/guardian/caregiver consent, the Whakatōhea Social & Health Service worker will discuss their concerns with the Whakatōhea Social & Health Service Manager and their immediate Practice Leader.

7.2 Purpose

To protect the safety and promote the wellbeing of children and young persons aged 17 years and under who may or may not be receiving services from any staff member of Whakatōhea Social & Health Service, or are associated with adults who are receiving services from any staff member of Whakatōhea Social & Health Service.

7.3 Scope

This policy applies to all Whakatōhea Social & Health Service staff, volunteers, training placement students and child programme specific contractors providing services to children and young persons on behalf of Whakatōhea Social & Health Service and shall be used wherever abuse or neglect is suspected or identified, regardless of whether the child is a client of Whakatōhea Social & Health Service.

This policy will form part of the Employee Induction for ALL new Whakatōhea Social & Health Service staff commencing employment from 01 April 2015 and will be revisited by Whakatōhea Social & Health Service staff undertaking internal employment transfers.

7.4 Policy Principles

Whakatōhea Social & Health Service will provide services that comply with legislation and is sensitive to and caters to the particular needs of children and young persons and will encompass the following principles:

- The rights, welfare and safety of children and young persons shall remain paramount at all times;
- Whakatōhea Social & Health Service services shall contribute to the nurturing and protection of children and advocate for them;
- All services provided to children and young persons are assessed and managed within a culturally safe environment and all Whakatōhea Social & Health Service staff are required to recognise and maintain sensitivity to other cultures;
- Wherever possible, the Whanau, Hapu and iwi shall participate in the decision making affecting the children or young person;
- Whakatōhea Social & Health Service Kaimahi and Kaiawhina are competent in identification and management of actual or potential abuse and/or neglect through the Whakatōhea Social & Health Service policy and procedural structures and ongoing training and education.
- Protecting them from abuse and neglect:
- Improving their education and training and their participation in recreation and cultural activities:
- Strengthening their connection to their families, whānau, hapū, and iwi, or other culturally recognised family

group:

- Increasing their participation in decision making about them, and their contribution to society;
- Improving their social and economic well-being.

7.5 Whakatōhea Social & Health Service Commitment to Child Protection

Whakatōhea Social & Health Service leadership team shall ensure:

- This policy is to be used organisation-wide for the appropriate response to and management of child abuse and neglect.
- That its' child protection policy and procedures comply with legislative requirements, the Whakatōhea Social & Health Service service delivery model, clinical audits and best practice standards.
- Whakatōhea Social & Health Service service procedures exist to provide appropriate, adequate support for, and supervision of staff affected by child abuse and neglect.

All employees of Whakatōhea Social & Health Service have responsibility for the safe management of identified and suspected child abuse and neglect. Those responsibilities include:

- To be knowledgeable with the Whakatōhea Social & Health Service 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;
- Whakatōhea Social & Health Service have appointed Social Services Practice Leader as a Child Protection Coordinator whose responsibilities include:
 - Reviewing the Child Protection Policy and procedures as required.
 - Coordinating a system-wide response to child abuse and neglect.
 - Developing a training plan and ensuring initial refresher and advance training of staff is available progressively;
 - Ensuring documentation tools are in place and accessible to staff for the recording of care and protection concerns (i.e., a Child Protection database);
 - Ensuring audit and evaluation tools are in place to assess child protection policy, processes and practice;
 - Ensuring regular audits of child protection practices occur;
 - Accessing and providing resources required to support this policy and make these available to kaimahi and clients;
 - Developing and maintaining 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 Whakatōhea Social & Health Service 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 community.

7.6 Definitions

Child Abuse refers to the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect or serious deprivation of any child / tamaiti, 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 / tamaiti or young person / Rangatahi.
- **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 refers to 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 refers to the agency responsible for responding to situations where a child is in imminent danger

and for work with **Child, Youth and Family** in child protection work, including investigating cases of abuse or neglect where an offence may have occurred.

Vulnerable Children Act 2014

child means a person who—

- (a) is under the age of 18 years; and
- (b) is not married or in a civil union

Children, Young Persons, and Their Families Act 1989

child means a boy or girl under the age of 14 years

young person means a boy or girl of or over the age of 14 years but under 17 years; but does not include any person who is or has been married or in a civil union

7.7 Consent

As outlined in 'Consent in Child and Youth Health', Children 17 years of age and under must have parental/guardian/caregiver consent before they can receive services from Whakatōhea Social & Health Service. Parents/guardians/caregivers will be fully informed and involved where appropriate in the services to be provided. Parents/guardians/caregivers will be given copies of all Whakatōhea Social & Health Service assessments and service plans relating to their child/ren and young person/s who are receiving services.

In circumstances where the safety of a child or young person would be compromised by seeking parental/guardian/caregiver consent, the Whakatōhea Social & Health Service worker will discuss their concerns with the Practice Leader and/or Group Manager. Where parental/guardian/caregiver consent is not sought the reasons for this will be documented. Children, Young Persons and Their Families Act 1989 outlines circumstances where this may be appropriate as does Consent in Child and Youth Health, Information for Practitioners.

Children or young persons who participate in programmes with Whakatōhea Social & Health Service will be required to consent to attending these programmes.

7.8 Environment

Special consideration must be made when children or young persons are present and/or using Whakatōhea Social & Health Service services. These range from safety issues, staffing, social and interaction issues, through to physical and resources available (e.g. Toys).

Where it is considered the most appropriate option, Whakatōhea Social & Health Service will provide services to children or young people by visiting their home.

7.9 Safety

Facilities used by children or young people will be child-protected in accordance with best practice guidelines. The main areas to address are:

- Heights
- Electrical
- Heat (burns)
- Choking risks
- Access (e.g. to roads)
- Regular inspection and cleaning of toys provided.

7.10 Social

Other Whanau/Family will be reminded of their responsibilities to respect others rights, and this includes not using rude/offensive language or conversation and no threatening behaviour or conversations.

Where possible, every attempt will be made to maintain children and young people relationships with peer groups. This will be through schooling, sports, cultural and music groups and normal social interaction.

7.11 Communication

Where information is explained to children or young people, staff will ensure that the language used is easy to understand. They will also check children and young people's understanding through encouraging questions, and asking questions of the child or young person.

7.12 Support Persons/Services

While it is normal that the primary support person/s is/are parents/guardian/caregivers, the child or young person is able to choose other support persons.

7.13 Participation

Unlike other Whanau/Family who have a choice regarding participation, any parent/guardian/caregiver of children or young person/s receiving Whakatōhea Social & Health Service services must be involved in all aspects of a child or young person/s services. The chapters in this manual relating to participation, entry, assessments, service, discharge and ongoing support procedures all relate to children and young persons, with the exception being parents/guardians/caregivers must be actively involved.

Note: Where the child or young person is not living with their family, they may decide that their family is not to be involved in their services. Usually they will be living with a guardian or caregiver and will provide informed consent for those persons (or another close support person) to be actively involved in their support.

Children and young persons have a wide network of people who need to be involved in their services and support. Where consent is given, consultation and participation will be encouraged with these persons/groups. These include schools and education groups, cultural groups, government organisations, health professionals, and support groups.

7.14 Children Visitors

Whakatōhea Social & Health Service provides a friendly environment for children and young persons. This is done through provision of a private Whanau/family visiting room, toys and through staff being aware of children and young person's need for security, safety and a friendly, welcoming environment.

7.15 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)). <http://www.cyf.govt.nz/documents/about-us/publications/27713-working-together-3-0-45ppi.pdf>
This document should be read in conjunction with the policy.

In brief, staff shall 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 is 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.

7.16 Responding to Suspected Abuse or Neglect

In all cases where a member of staff has a concern about a child / tamaiti, young person / Rangatahi being or likely to be abused or neglected (refer **7.6 above**) by an adult or another child / tamaiti or young person / Rangatahi, they will report this to the Whakatōhea Social & Health Service Services Manager and their Practice Leader and make referrals / notify key staff to assist in the formulation of a plan to address the care and protection concerns.(also refer to section 15 of the Vunerables Childrens Act).

A referral to Child, Youth and Family may be made at any time AND the Service Manager is to be notified in the first instance. A copy of the notification is to be filed in the notifications folder held in the office of the Service Manager.

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.

Whakatōhea Social & Health Service recognises that in some cases the involvement of statutory agencies would be inappropriate and potentially harmful to the whanau / families concerned. Throughout New Zealand statutory and non-statutory agencies provide a network of mutually supportive services and it is important for Whakatōhea Social & Health Service to work with these to respond to the needs of vulnerable children and whanau 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 i.e. Do not ask questions beyond open-ended prompts; Do not make promises that can’t be kept e.g. “I will keep you safe now”.
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.
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, venue and who was present

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

What Process To Follow	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 Whakatōhea Social & Health Service • Any other information that may be relevant 	Relevant information can inform any future actions
Decision-Making	Discuss any concern with the Service Manager or immediate Practice Leader or the designated person for Child Protection within Whakatōhea Social & Health Service	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.	Child, Youth and Family will: <ul style="list-style-type: none"> • Make the decision to inform the parents or caregivers in consultation with Whakatōhea Social & Health Service. • 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 whanau or put them in touch with people in the community who can help.
What Process To Follow	Example	Key Considerations
Strong relevant information	Securely store: <ul style="list-style-type: none"> • The record of the concern • A record of any related discussion (including copies of correspondence, where appropriate) • A record of any advice received • The action Whakatōhea Social & Health Service took including 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.

7.17 Allegations or Concerns Involving Staff

All matters involving allegations against staff shall be escalated to the Whakatōhea Social & Health Service Management Team. This team shall consist of the Whakatōhea Social & Health Service Manager, Whakatōhea Social & Health Service Practice Leaders and the Whakatōhea Social & Health Service appointed Child Protection Coordinator.

To ensure the child is kept safe, the Whakatōhea Social & Health Service Management may take steps to remove the staff member against whom the 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.

Whakatōhea Social & Health Service Management will consult with Child, Youth and Family and/or the Police before taking any further actions.

Whakatōhea Social & Health Service commits not to use 'settlement agreements' in all areas involving child protection. 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.

7.18 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 and held by the Quality Coordinator in a locked file.

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 to the Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.

7.19 Recruitment and Employment (Safety Checking)

Safety checking shall be carried out in accordance with the Vulnerable Children Act 2014.

The Whakatōhea Social & Health Service recruitment policy reflects a commitment to child protection by including comprehensive screening procedures that include:

- A police vet
- Identity verification
- References
- Formal 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/children, that applicant will not be employed.

Police vetting will be carried out and confirmation received from the Police before any staff member is employed by the Service.

7.20 Training, Supervision and Support

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

Specialist staff trained to work with children and young persons will be used when children and young persons are receiving support from Whakatōhea Social & Health Service. This will either be through permanent staff or contracted professionals. Support will therefore be specifically designed to the child or young person and will include therapies such as play and family therapy. Specialized staff will also assist in providing information, participation, support networks and understanding to the parents/guardians/caregivers.

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

OR

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

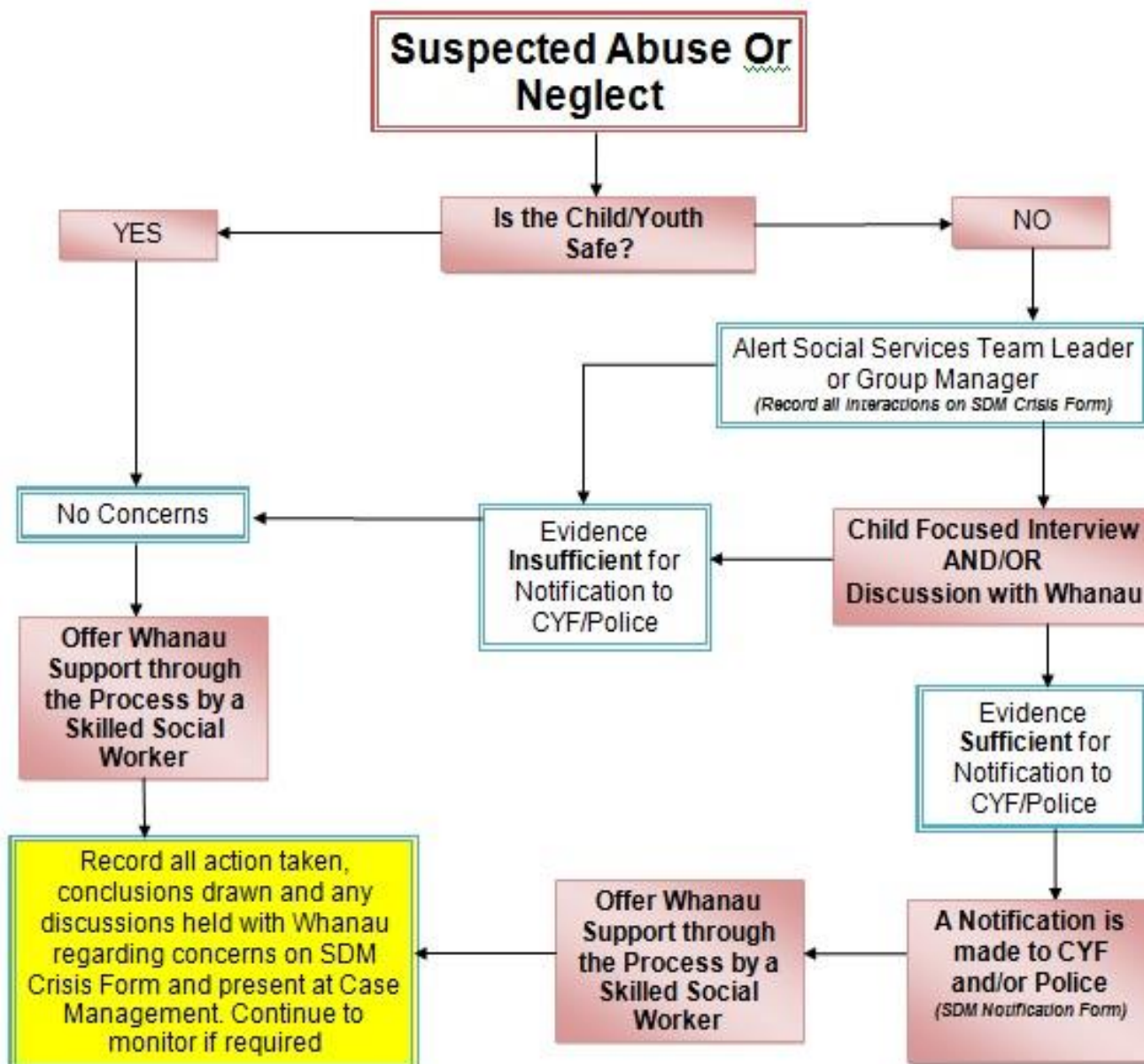
- Understanding child abuse and indicators of child abuse
- How to reduce the risk of child abuse
- Understanding and complying with legal obligations in regard to child abuse
- Working with external agencies on child abuse issues
- Planning of environment and supervision to minimise risk
- Dealing with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

7.21 Legislation

Legislation relating to Children and Young Persons available at Whakatōhea Social & Health Service via the internet, is as follows:

- Vulnerable Children Act 2014
www.legislation.govt.nz/act/public/2014/0040/latest/whole.html
- Children, Young Persons and Their Families Act 1989
<http://www.legislation.govt.nz/act/public/1989/0024/latest/DLM147088.html>
- Care of Children Act 2004
<http://legislation.govt.nz/act/public/2004/0090/latest/DLM317233.html>
- Privacy Act 1993
<http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html>
- Domestic Violence Act 1995
www.legislation.govt.nz/act/public/1995/0086/latest/whole.html
- Victims' Rights Act 2002
<http://www.legislation.govt.nz/act/public/2002/0039/latest/DLM157859.html>
- The United Nations Convention on the Rights of the Child (UNCROC)
http://www.unicef.org/crc/files/Rights_overview.pdf
- Health Information Privacy Code 1994
<http://privacy.org.nz/health-information-privacy-code>
- Mental Health Act 1992
www.legislation.govt.nz/act/public/1992/0046/latest/whole.html

7.11.A Suspected Abuse or Neglect of a Child or Young Person Notification Process



REFERENCE ONLY

Child Focused Interview should only be performed by qualified and skilled professionals.

Whanau and members of the public can request a social worker to make a notification on their behalf.

If ever in doubt contact CYF and consult with a Social Worker – 0508 326 459