

# Youth Philanthropy New Zealand Child Protection Policy

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## 1.0 Introduction

Ensuring the wellbeing and safety of children, including prevention of child abuse, maltreatment or harassment is of extreme importance to Youth Philanthropy New Zealand (YPNZ). This policy provides guidance about how to identify and respond to concerns about the wellbeing of a child, including possible abuse or neglect. This policy applies to all employees, volunteers and contractors undertaking work on behalf of YPNZ.

- 1.1 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 (Oranga Tamariki - Ministry for Children) 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.
- 1.3 The Safety Officer will be responsible for carrying out the responsibilities outlined in this policy.
- 1.4 This policy was authorised by Hugh Taylor, YPNZ Safety Officer on 7 Feb. 19. The Safety Officer is responsible for the maintenance and three yearly review of this policy. A digital copy can be found on our website at [ypnz.org](http://ypnz.org). The policy is due to be updated on or by 7 Feb. 22. It is consistent with Oranga Tamariki - Ministry for Children and Police all revisions will be checked for consistency with these organisations.

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## 2.0 Purpose, Scope and Principles

Our child protection policy is designed to support our staff, volunteers and contractors to respond appropriately to potential child protection concerns. It is our organisation's commitment to protect children from abuse and to recognise the important roles all our staff have in protecting the safety and welfare of children. 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.

- 2.1 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. It applies to all YPNZ staff, including volunteers and part-time or temporary roles and contractors.
  - 2.2 The designated person for child protection has 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.
  - 2.3 In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies – i.e., Oranga Tamariki - Ministry for Children and the Police – this policy will also help our staff identify and respond to the needs of the many vulnerable children whose wellbeing is of concern/
  - 2.4 YPNZ affirms its commitment to work with other agencies to ensure the best outcome for the children and to work towards continuing improvement in child protection policies.
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### 3.0 Definitions

The Oranga Tamariki Act / Children's and Young People's Well-being Act 1989 defines child abuse as '...the harming (whether physically, emotionally, sexually) ill-treatment, abuse, neglect or deprivation of any child or young person'.

- 3.1 **Abuse** – the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child.
- 3.2 **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.
- 3.3 **Child** – any child or young person aged under 18 years, and who is not married or in a civil union.
- 3.4 **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.
- 3.5 **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.

- 3.6 **Disclosure** – information given to a staff member by the child, parent or caregiver or third party in relation to abuse or neglect.
- 3.7 **Oranga Tamariki** – 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.
- 3.8 **New Zealand Police** – the agency responsible for responding to situations where a child is in immediate danger and for working with Oranga Tamariki in child protection work, including investigating cases of abuse or neglect where an offence may have occurred.
- 3.9 **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.
- 3.10 **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.
- 3.11 **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.
- 3.12 **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.

3.13 **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).
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## 4.0 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.

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## 5.0 Identifying Child Abuse and Neglect

5.1 Our approach to identifying abuse or neglect is guided by the following principles:

- 5.1.1 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.
- 5.1.2 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.

- 5.1.3 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.
- 5.1.4 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.
- 5.1.5 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.
- 5.2 We recognise the signs of potential abuse:
  - 5.2.1 Physical signs (e.g., unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases).
  - 5.2.2 Behavioural concerns (e.g., age- inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression).
  - 5.2.3 Developmental delays (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
  - 5.2.4 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).
- 5.3 We are aware of the signs of potential neglect:
  - 5.3.1 The child talking about things that indicate abuse (sometimes called an allegation or disclosure).
  - 5.3.2 Physical *signs* (e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight).
  - 5.3.3 *Developmental delays* (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
  - 5.3.4 Behavioural concerns (e.g., disengagement/ neediness, eating disorders/substance abuse, aggression).

- 5.3.5 *Neglectful supervision* (e.g., out and about unsupervised, left alone, no safe home to return to).
  - 5.3.6 *Medical neglect* (e.g., persistent nappy rash or skin disorders or other untreated medical issues).
  - 5.3.7 *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).
- 5.4 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.
- 5.5 This organisation will always act on the recommendations of statutory agencies, including Oranga Tamariki and the Police. We will only inform families/whānau about suspected or actual abuse after we have discussed this with these agencies.
- 5.6 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.
- 5.7 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.
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## 6.0 Confidentiality and Information Sharing

- 6.1 All observations, after an investigation has been notified, shall be kept in writing but the file will be sealed for confidential reasons.
- 6.2 We will seek advice from Oranga Tamariki - Ministry for Children 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:
- 6.3 Under sections 15 and 16 of the Oranga Tamariki Act 1989/ Children's and Young People's Well-being 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 Oranga Tamariki – Ministry for Children or the Police and

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

- 6.4 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.

- 6.5 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 Oranga Tamariki – Ministry for Children under sections 15 and 16 of the Oranga Tamariki Act 1989/ Children’s and Young People’s Well-being Act 1989.
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## 7.0 Child Safe Practice Guidelines

- 7.1 If it’s necessary to do things of a personal nature for a child, make sure you have another adult accompanying you. Get the consent of the parent/caregiver and if possible, the child. Let them know what you are doing and why.
- 7.2 Avoid situations where you are alone with a child. While acknowledging that occasionally there may be no alternative, for example, where a child falls ill and has to be taken home. However, one-to-one contact must never be allowed to occur on a regular basis.
- 7.3 Don’t allow physically rough or sexually provocative games, or inappropriate talking or touching.
- 7.4 Ensure that any claims of abuse by a child are taken seriously and that the guide to report suspected or actual abuse included in this policy as an appendix is followed.
- 7.5 Ensure that use of photographic images and video are aligned to relevant privacy policies.

- 7.6 That the all people responsible for children and young people at any given time should always remain in an alcohol-free state that they can react appropriately to any situation that might arise.
  - 7.7 Visitors should be monitored at all times by staff and volunteers and outside instructors should be monitored by staff.
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## 8.0 Allegations or Concerns About Staff

YPNZ 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 concern the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

- 8.1 All matters involving allegations against staff need to be escalated to the safety officer.
  - 8.2 To ensure the child is kept safe, the safety officer 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, employment contract and relevant employment law.
  - 8.3 Management will consult with Oranga Tamariki and/or the Police before taking any further actions.
  - 8.4 It is not the responsibility of staff to investigate allegations of child abuse.
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## 9.0 Recruitment and Employment

- 9.1 Our recruitment policy reflects a commitment to child protection by including comprehensive screening procedures.
  - 9.2 Safety checks will be carried out, as required by the Vulnerable Children Act 2014.
  - 9.3 All staff will be subject to a check completed by the New Zealand Police Vetting service upon initial employment, and every two years subsequent.
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## 10.0 Child Protection Procedures

- 10.1 Procedures for when a child discloses abuse are in appendix A
- 10.2 Procedures for notifying Oranga Tamariki and the Police are in appendix B

### Related Documentation and Review

#### Relevant Legislation

- Vulnerable Children’s Act 2014
- Care of Children Act 2004
- 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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## Appendix A:

### 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"> <li>- Are not in trouble.</li> <li>- Have done the right thing.</li> </ul>
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 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"> <li>- Word for word, what the child said.</li> <li>- The date, time and who was present .</li> <li>- Alert the Safety Officer of the situation</li> </ul>

## Appendix B

### Recording and notifying Oranga Tamariki of suspected child abuse or neglect:

What process to follow	For example	Key considerations
Recording	Formally record: <ul style="list-style-type: none"> <li>- Anything said by the child.</li> <li>- The date, time, location and the names of any staff that may be relevant.</li> <li>- The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns).</li> <li>- The action taken by your organisation.</li> </ul> Any other information that may be relevant.	Relevant information can inform any future actions.
Decision-making	Discuss any concern with the safety officer	No decisions should be made in isolation.
Notifying authorities	If the situation warrants it after discussion with the safety officer, they will: Notify Oranga Tamariki 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 Oranga Tamariki (see below) as this enables both parties to discuss the nature of the concerns and appropriate response options.  Phone: 0508 Family (0508 326 459)	Oranga Tamariki 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.

<p>Following the advice of Oranga Tamariki</p>	<p>Oranga Tamariki advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police.</p>	<p>Oranga Tamariki 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.</p>
<p>Storing relevant information</p>	<p>Securely store:</p> <ul style="list-style-type: none"> <li>- The record of the concern.</li> <li>- A record of any related discussions (including copies of correspondence, where appropriate).</li> <li>- A record of any advice received</li> <li>- The action your organisation took, including any rationale.</li> <li>- This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident).</li> </ul>	<p>Records assist in identifying patterns.</p>