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# CHILD PROTECTION POLICY

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## Statement of Commitment

The most effective way to safeguard children is to have a comprehensive and effective policy. Child Matters values children and is committed to the prevention of child abuse and to the protection of children and recognises that keeping children safe is everyone's responsibility. This commitment means that the interests and the welfare of the child are the prime considerations when any advice is given, or decision is made about suspected child abuse. We are committed to supporting families, and empowering families and the community to act to keep children safe.

## Introduction

### Purpose

- 1.1 The purpose of this policy is to ensure that all staff, volunteers and professionals visiting from other agencies, working with Child Matters, operate in ways that ensure that children are protected from harm. This involves being able to recognise and identify signs of actual or suspected abuse, and know how to respond appropriately.
- 1.2 The commitment to child protection is demonstrated by the inclusion of this statement in all contracts made with Child Matters:

*Child Matters' commitment first and foremost is to the safety and welfare of children and Child Matters' staff are required to act to protect a child whenever they have concerns about the safety of any child. Should, as part of undertaking this contract, a member of Child Matters' staff receive any information that gives rise to concerns about the safety of a child, Child Matters will require the person to act on those concerns immediately. Such action could include making a report of concern to CYF or the Police.*

### Scope

- 1.3 The scope of this policy includes the safety of children visiting Child Matters' premises, consultations and advice given to members of the public, and disclosures or information received within a training environment.
- 1.4 This Child Protection Policy confirms the commitment of Child Matters to the protection of children and proceeds to:
  - outline the standards and principles by which all staff will abide
  - define child abuse
  - outline the action to be taken by staff where any form of abuse or ill-treatment is known or suspected
  - establish what action is required when allegations are made against staff
  - explore the implications for staff training
  - outline expected behaviour of staff

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1.5 This policy adheres to the following Acts:

- Children Young Persons and their Families Act 1989
- Privacy Act 1993
- Human Rights Act 1993
- Domestic Violence Act 1995
- Employment Relations Act 2000
- Care of Children Act 2004
- Vulnerable Children Act 2014
- Vulnerable Children (Requirements for Safety Checks of Children’s Workers) Regulations 2015

1.6 Overall responsibility for this Policy rests with the Chief Executive and National Manager, Child Protection Education and Advisory Service

1.7 This Policy will be reviewed and updated in the light of operational experience and in line with changes in legislation and associated policies. This policy will be reviewed at least annually.

## Standards, Values and Principles

2.1 Working with children and families/whanau where child protection is a concern raises complex issues of values, rights and potentially conflicting interests. It is important, therefore, to be guided by a set of principles as well as by professional knowledge. These principles are taken from the Children, Young Persons and their Families Act (1989)

- The child's welfare must always be paramount and this overrides all other considerations

and, from the United Nations Convention on the Rights of the Child:

- Being healthy
- Staying safe, including being free from abuse, victimisation and exploitation, accidental death or injury, bullying, discrimination, crime and anti-social behaviour
- Having a nurturing place to live
- Enjoying, learning and achieving
- Making a positive contribution and being listened to
- Achieving economic wellbeing
- Security, stability and a respect for the human rights of children

2.2 The United Nations Convention on the Rights of the Child (1989) states that the provision of services and protection from abuse are basic rights and must be offered to all children regardless of race, culture, language, gender, disability or religion. This Policy has been screened and vetted for inequality. No significant adverse differential impact to any child has been found.

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## Definitions

### Child

3.1 For the purposes of this Policy a 'child' is a person under 18 years of age.

### Staff

3.2 For the purpose of this Policy 'staff' is defined as those staff who are employed directly by Child Matters, as well as staff individually contracted, and volunteers working on behalf of Child Matters.

### Child Abuse

3.3 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". **The definitions set out below provide some indicators of abuse and these should not be seen as an exhaustive list nor as a check list.**

### Physical Abuse

3.4 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

3.5 Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect 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 expectations being imposed on children. It also includes the seeing or hearing the ill treatment of others.

### Sexual Abuse

3.6 Sexual abuse is any act or acts that result in the sexual exploitation of a child or young person, whether consensual or not.

### Neglect

3.7 Neglect is the persistent 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.

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### **Cumulative Harm**

3.8 Cumulative harm is the existence of compounded experiences of multiple episodes of abuse or 'layers' of neglect. The unremitting daily impact on the child can be profound and exponential, covering multiple dimensions of the child's life.

### **Intimate Partner Violence**

3.9 Intimate Partner Violence is physical, emotional, sexual and other abuse by someone (usually but not always a man) of a person (usually but not always a woman) with whom they have or have had some form of intimate relationship with, such as marriage or cohabitation, in order to maintain power and control over a person.

3.10 A comprehensive list of some of the signs and indicators of abuse can be found in the Child Matters publication 'How Can I Tell?'

## **Child Protection Procedures**

4.1 Authorised Child Matters' staff may provide specialist advice and support for those who seek help when concerned about a child who may be at risk of harm. Those authorised to provide advice and support on Child Protection are strictly limited to:

- Chief Executive
- National Manager, Child Protection Education and Advisory Service
- Child Protection Consultants
- General Manager

4.2 Child Matters will respond to allegations of child abuse in a manner which that ensures the child's safety is the first and paramount consideration.

4.3 Child Matters staff may be consulted by a third party for advice about what action to take when child abuse is suspected. Child Matters may be contacted for advice via telephone, email, in person on Child Matters premises or in a training environment.

4.4 As outlined above, only those staff listed will engage in consultation for advice and support regarding child protection concerns. If it is considered that a Report of Concern or referral needs to be made to the Vulnerable Children's Hub, Police or Child Youth and Family, those staff will advise the caller to report their concerns, and how to go about doing so.

4.5 In a situation where the staff member believes that a child is in immediate danger, and that the caller is not prepared to secure the child's safety by calling a statutory service, the staff member in consultation with the Chief Executive or General Manager or National Manager, Child Protection and Advisory Service will inform the Police Child Protection Team or Child, Youth and Family Contact Centre of their concerns. Child Matters staff will not collude to protect an adult or an organisation. Records of these Reports of Concern will be kept in the

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Child Protection Register currently held in a secure locked cabinet overseen by the National Manager, Child Protection Education and Advisory Service.

4.6 Child Protection Procedures must be followed whether the alleged perpetrator is a member of the public, a participant of training, or a member of Child Matters staff.

4.7 Child Matters staff will not act alone about concerns of abuse, but will consult with either the Chief Executive or National Manager, Child Protection Education and Advisory Service who will be committed to taking action as outlined in the procedures. Staff will not act in a way that is outside their knowledge, capacity or role.

4.8 When child abuse is suspected, the Vulnerable Children's Hub, Child, Youth and Family or the Police will be informed.

4.9 In the event that an authorised person, as outlined above in Paragraph 4.1, is not available when someone calls for advice, staff will encourage the caller to seek other avenues for help.

4.10 All concerns and information will be recorded factually, and held confidentially. All documentation relating to concerns and information will be held in the Child Protection Register.

4.11 Advice given to people seeking information about a child abuse situation may cover but is not limited to:

- Helping the concerned person decide whether abuse is suspected, and providing guidance as to the next steps to take.
- Explaining how to appropriately respond to a child.
- Outlining what to record, and how to keep that information safe.
- Discussing responsibilities and time frames for all actions.
- Detailed guidelines about reporting.
- How, when, and by whom should the parents be informed.
- Rights of alleged perpetrators.
- Meeting legal requirements – particularly in case of abuse by a staff member.
- How to access support for all staff and other children, and family members.
- Getting help for oneself after dealing with a stressful situation of abuse to a child.

### **Relationships with statutory and specialist agencies**

4.12 Child Matters will maintain good working relationships with agencies who have the statutory powers and skills to intervene in cases of child abuse. This includes maintaining a good working relationship with Child Youth and Family and with Police, and be familiar with the laws that serve to protect children from abuse. Staff will consult with Child, Youth and Family, Police, and with other appropriate agencies who have specialist knowledge to help protect children from abuse.

4.13 Child Matters believes that in order to keep children safe, people who suspect or uncover abuse should not be tempted to deal with cases by themselves, but to report and seek help

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as necessary. When there is a relationship of trust and understanding with the statutory agencies, people are more likely to report and enable professional investigation to ensue.

- 4.14 Child Matters will also maintain relationships with NGOs and agencies that provide services to children and families throughout the country.

### Handling disclosures

- 4.15 It is important that staff take what a child or adult says seriously. This applies irrespective of the setting, or the member of staff's own opinion on what is being said. If there is information disclosed regarding actual or suspected child abuse staff must:

- stay calm
- listen and hear
- give time to the child/adult to say what he/she wants
- reassure him/her it was right to tell
- tell the child/adult that they are being taken seriously and that they are not to blame
- explain that they have to pass on what the child/adult has told them as soon as they are aware that the child/adult is making a disclosure
- 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.
- Report the concern to the appropriate statutory agency, in consultation with the Chief Executive or the National Manager, Child Protection Education and Advisory Service or General Manager

Staff must not:

- make the child/adult repeat the story unnecessarily
- promise to keep secrets
- enquire in to the details of the alleged abuse
- ask leading questions

### Keeping the child's family informed and involved

- 4.16 4.17 Although the parent or caregiver of the child will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen when:

- the parent or caregiver is the alleged perpetrator
- it is possible that the child may be intimidated into silence
- there is a strong likelihood that evidence will be destroyed
- the child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision

- 4.17 Giving information to protect children is not a breach in confidentiality. Principle 11 of the Privacy Act, 1993, states sharing of personal information is allowed if "disclosure of the information is necessary to prevent or lessen a serious threat".

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## Safe Recruitment of Staff

- 5.1 Child Matters is committed to ensuring that every person, whether full-time, casual, contracted, paid or voluntary, who is engaged by Child Matters, is safe and suitable to be associated with an organisation committed to the protection of children.
- 5.2 Before making any appointment, Child Matters will complete a robust safety checking process to ascertain the candidate's suitability and safety to work in Child Protection. We will adhere to the statutory obligations contained within the legislation such as the Privacy Act (1993), the Human Rights Act (1993), Vulnerable Children Act (2014) and Vulnerable Children (Requirements for Safety Checks of Children's Workers) Regulations (2015).
- 5.3 All appointments will follow the requirements of the Staff Selection Policy and the Child Protection Consultant Selection and Recruitment Policy. This outlines:
- A clear job description will be available.
  - An application form and CV will be required from candidates.
  - Verification of 2 forms of identification will be undertaken
  - Checking will include police check, at least one personal reference checks, a structured interview and a risk assessment process. Attitudes towards children and safety around them will be assessed during this process.
  - Staff selection will be undertaken by a person knowledgeable and experienced in the field of child protection
  - Full records will be kept, and attention to HR practices maintained.
  - Staff will be required to sign a confidentiality agreement, and adhere to the Child Matters Code of Ethics.
- 5.4 All staff responsible for the provision of advice and support to people with concerns for the safety of children will be provided Supervision on a monthly basis.

## Staff Training

- 6.1 Child Matters ensures that everyone in the organisation has adequate and appropriate information about child abuse in order to protect children and to recognise and respond when children are at risk.
- 6.2 All new staff will be required to be familiar with the organisation's policies on child protection, and to undertake training on child protection.
- 6.3 All new paid staff will be required to undertake an induction programme that includes reading promotional material and information about child abuse.
- 6.4 All Child Protection Consultancy staff will complete the Child Protection Studies Programme as part of their induction programme if they haven't previously completed this training course. The opportunity to complete the Child Protection Studies Programme is also available to other staff and volunteers, and will be undertaken in agreement with the General Manager. This training will be available to staff within usual work hours and all costs will be covered by Child Matters.

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- 6.5 Opportunities for staff and Board of Trustees in-house training are provided.
- 6.6 Staff will be given opportunity for further professional development in line with their Annual Performance Review and Professional Development Plan.
- 6.7 All training required under this policy, and the time to undertake it, will be funded by Child Matters.

## Professional Behaviour of Staff

- 7.1 Clear boundaries are important in maintaining professional behaviour. This policy reinforces the need for high standards of staff behaviour in order to protect children from abuse and at-risk situations, and to protect staff from unwarranted suspicion. Further information can be found in the Child Matters Code of Conduct.

### Computer, Internet and Phone Use

- 7.2 Staff will follow procedures as set out in Use of Information Technology Policy

### Supervision

- 7.3 It is recognised that working within Child Protection can have an impact on the wellbeing of staff. Support is therefore provided through Supervision for all staff, as per the Child Matters Supervision Policy.

## Supervision of Children

- 8.1 Child Matters will ensure that children on the premises are safe and that activities take place in ways that protect them from abuse and protect staff members from unwarranted allegations of child abuse.
- 8.2 Children are welcome to visit the Child Matters premises, and all efforts are made to ensure that Child Matters provides a child safe environment.
- 8.3 Child Matters has a zero tolerance policy to violence, and that extends to physical punishment. Adults are advised that “Child Matters is a no-hitting place”.
- 8.4 A parent or caregiver bringing a child to Child Matters training must inform a staff member or tutor that the child is present. Children are not permitted to visit training premises during teaching hours. Exceptions may be made for babies to attend training with their parent or caregiver. This will be assessed on a case by case basis and approval will be provided by the National Manager, Child Protection Education and Advisory Service.

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- 8.5 It is not the intention or capacity of the organisation to be responsible for unsupervised children, and any child visiting must be accompanied by an adult or caregiver. Parents and carers are responsible for the child at all times, and staff will not be alone with the child except with the express permission and knowledge of the parent or caregiver.
- 8.6 At the Child Matters offices, children will not be permitted to go into the resource room or main offices alone. Children will not be permitted to play in the stairwell or with any equipment that could endanger them.
- 8.7 Staff will not touch children except with the express permission and knowledge of the parent or caregiver. Parents and caregivers will undertake all toileting and changing of their own children.

### Allegations against Members of Staff

- 9.1 Concerns may be raised regarding members of staff. These may be as a result of behaviour within the workplace, or of behaviour within their home environment.
- 9.2 Any concern of abuse of a child will follow the Reporting Procedures outlined in this policy. In the event of an allegation of abuse by a staff member a report of concern will be made to the Police and Child Youth and Family.
- 9.3 When there are suspicions of abuse by a staff member, both staff and children's rights are to be attended to. This means that the safety of the child is of first concern, and that the staff member must have access to legal and professional advice, in accordance with the Employment Relations Act.
- 9.4 The Chief Executive must immediately assess risk before allowing contact with the person making the allegation. A risk assessment must be undertaken to determine what level of access that person should have, if any, to members of the public in their capacity as an employee of Child Matters.
- 9.5 If the police decide to undertake a criminal investigation then the member of staff 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.
- 9.6 If there is insufficient evidence to pursue a criminal prosecution, then a disciplinary investigation may still be undertaken if there is "reasonable cause to suspect" that abuse may have occurred. The allegation may represent inappropriate behaviour by a member of staff which needs to be considered under internal disciplinary procedures.