

A GUIDE TO DEVELOPING CHILD PROTECTION POLICIES AND SAFE WORKING PRACTICES



Creating a Safe ORGANISATION

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INTRODUCTION

Children rely on adults to keep them safe. All organisations that work with children, whether directly or indirectly, should have at their core the commitment to protecting the children in their care. This starts with adults providing safe, stable and nurturing environments for children where they can reach their full potential.

Creating a safe organisation requires an understanding of the many ways in which children can be at risk of abuse, and creating clear and decisive actions that an organisation can take to minimise the potential risk and respond appropriately should abuse occur.

The key elements to creating a safe organisation are:

- Child Protection Policy
- Safer Recruitment
- Training
- Safe Working Practices



CHILD PROTECTION POLICY

A child protection policy provides the principles, standards and guidelines that clearly define what action is required by staff in order to keep children safe. It is a tool that staff can refer to and be reassured by, ensuring a consistency of behaviour, a clear way of identifying concerns, and providing clear guidelines or instructions of what should happen next.

Child protection policies provide organisations and staff with safety and security, where they might otherwise be vulnerable should an incident occur. By ensuring staff have consistent guidelines, supported by an awareness of child abuse and their responsibilities to keep children in their care safe, organisations are able to reduce the risk of serious allegations or repercussions occurring.

SAFER RECRUITMENT

One of the most effective points at which an organisation can minimise the possibility of harm to children is in the appointment of both paid and unpaid staff. Thorough and robust vetting and screening during the recruitment process can protect the organisation from the impacts of having unsafe staff. These can include financial loss and damaged reputation for the organisation, as well as the emotional impact on other staff when a child in their care is abused.

Choosing staff carefully is crucial for any organisation working with children. Further information regarding safe recruitment guidelines can be found in ***Safer Recruitment, Safer Children***, a guide for organisations jointly published by Child Matters and the Children's Action Plan.

TRAINING

Training is a fundamental tool in building a safe organisation for children. Staff may be unable to identify children needing to be kept safe without a clear understanding of vulnerability and the risks that children face.

All staff working with children, whether paid or unpaid, should undertake professional development in child protection topics. This includes identifying vulnerability and child abuse, understanding appropriate responses to concerns, developing and implementing policy and practice guidance, or exploring a deeper level of understanding and knowledge base about child protection.

Child protection training should be standard practice within the organisation and updates and refreshers should be provided regularly.

For more information on training options please visit www.childmatters.org.nz

SAFE WORKING PRACTICES

Clearly agreed and defined Safe Working Practices are a central element to a Child Protection Policy. They are processes for reducing the possible risk of harm to children, while also protecting staff and volunteers.

This guidance defines what behaviours and practices are expected of staff and volunteers, and provides consistency of behaviour that allows potentially harmful behaviour to be identified and managed more easily.



SECTION ONE:

Developing effective policies, procedures and practices



SECTION ONE:

Developing effective policies, procedures and practices

This guidance sets out to assist organisations in the development of an effective child protection policy, and to explore the safe working practices that support putting the policy into practice.

STAGE ONE: ORGANISATION HEALTH CHECK

The first step is to conduct an organisation health check which will help to evaluate current policy, procedures and practices in place and identify areas that may need to be changed, adapted or introduced.

STAGE TWO: PLAN AND PREPARE

Once the areas for development have been identified, the next steps are to plan and prepare for the development of the policy and practice guidance. This step involves consultation and requires the right people within the organisation to create and influence the development. This aspect is essential to the successful implementation once the policy and practice guidance has been written.

STAGE THREE: DEVELOP AND IMPLEMENT

The third step is the development of policies, procedures and practices to ensure that:

- All people working within the organisation are safe to work with children
- The practices of the organisation are focused on keeping children safe

Policies, procedures and practice guides are only effective if they are successfully implemented, and all staff are using them appropriately.

STAGE FOUR: MONITOR AND REVIEW

Working through this guidance resource will assist in the development of effective policies, procedures and practices. Once this has been achieved, the next step is to develop a long term plan to ensure that the policies and procedures are 'living documents' that are used regularly by all staff within the organisation and continue to reflect the actual principles and practices of the organisation, as well as changing legislation.



STAGE ONE: ORGANISATION HEALTH CHECK

Reducing Risk - Increasing safety

To be sure children are safe it is better to take steps early and minimise the risk of accident or abuse happening.

Does your organisation have the following?

Clear guidelines for what to do if there are concerns about a child's safety or wellbeing. Yes No

A specifically trained person who can deal with any allegations of abuse and support children and other staff through the process. Yes No

A rigorous recruitment and selection process to ensure all adults involved with children are safe to be in that role. Yes No

A written code of behaviour that outlines good safe working practices when working with children. Yes No

A clear and safe process for staff to share any concerns they have about children or the way they are treated. Yes No

Information for families and whanau about your policies and where to get help. Yes No

Guidance for staff about sharing information with authorities. Yes No

A guide for staff on use of IT, website etc. Yes No

A clear policy about dealing with bullying and complaints. Yes No



STAGE TWO: PLAN AND PREPARE

Once the 'Organisation Health Check' has been completed and it has been established that your organisation would benefit from developing a robust child protection policy, then it is time to move on to the second stage, Plan and Prepare.

There are key elements that are required to plan and prepare for this process in order to ensure that the development of the policy and practice guidance is robust and effective.

- Agree that a policy is needed and agree on the principles that will govern it.

First and foremost it must be agreed that a child protection policy and practice guidance is needed and make a commitment to following through the process. Next, it is important that people with authority and influence within your organisation provide a brief which outlines the principles that govern the organisations commitment to the safety of children.

- Assign responsibility for the process

Ideally, one person should take over all responsibility for developing and reviewing the child protection policy and any practice guidance. This process "owner" will consult with stakeholders, ensure that the policy, protocols and guidance is up to date and is available to all concerned. This person will also be responsible for ensuring the effective implementation of the policy, procedures and practices. This person is usually referred to as the Designated Person for Child Protection or the Child Protection Co-ordinator.

- Set up a working group

The person responsible is not likely to have all the answers, and the policy should not be developed in isolation. It is essential that the Designated Person consult with others to gather information so that the policy and guidance documents are realistic, practical, usable and effective. Consultation will need to be with Managers, to define responsibility and accountability, and with stakeholders to clarify principles and ethics, and also with staff members, to identify practicality and realistic circumstances that need to be covered. A working group comprising people from all parts of the organisation will offer a balanced view of what works in a practical way for the organisation.



STAGE THREE: DEVELOP AND IMPLEMENT

Once you have completed the first two steps, it's time to move onto the important next step of developing your policies and procedures that will help your organisation ensure children are kept safe.

The guide for developing a Child Protection Policy can be found in Section Two.

The guide for developing Safe Working Practices can be found in Section Three.

Additional resources can be found in Section Four.

Successful implementation of policy, procedures and practices requires the engagement of all staff, whether paid or voluntary. All policies and practice guidance should be available and easily accessible to all staff, and it should be recorded that they have been read and agreed to. Staff should be made aware of the policy and practices through training or information sharing sessions. Staff should be informed of the contents of the policy at induction, and this should be regularly updated, especially as the policy is reviewed and any changes made.

STAGE FOUR: MONITOR AND REVIEW

Once the Policy has been developed and implemented, your organisation will be operating in ways that protect children. This process will have required an investment in time and resources. However, this is not the end of the process. Policies, procedures and practices only remain effective if they are regularly monitored and reviewed to ensure that they are still applicable and relevant. Over time there will be changes, whether internally within your organisation's structure or externally with legislation or agreed best practice, and these changes will need to be reflected in your organisation's policies. It is also possible that once the policy is implemented it is identified that there are issues or circumstances that had not been considered but should be included.

It is therefore critical that the child protection policy, as well as the safe working practice guidance, is reviewed on a regular and ongoing basis. This should occur annually, and also at any time it is identified that a change is required. The review should involve a review team of those with responsibility for carrying out or overseeing the actions described in the guides. This review should be led by the Designated Person for Child Protection.



SECTION TWO:

Child Protection Policy



SECTION TWO:

Child Protection Policy

A child protection policy provides a framework of principles, standards and guidelines on which to base individual and organisational practice in relation to such areas as:

- Recognising and Responding to abuse
- Safe recruitment of staff
- Training
- Responsibility and Accountability
- Guidelines for effective communication and working with other agencies
- Guidelines for appropriate behaviour and attitude

Once a Child Protection Policy has been developed and implemented, tools such as Volunteer Leaflets, Notices or Reference Guides may be considered to enable staff to access the information required quickly and easily to facilitate positive action in the protection of children.

This section will take you through the development Child Protection Policy, highlighting the areas that need covering and providing sample statements. These sample statements are examples of statements that you may wish to include in your policy. Additional policy statements will need to be included to ensure that the policy is comprehensive. 'Consider' prompts have also been included to help identify what additional policy statements will need to be developed or tailored to suit the individual needs of your organisation.



INTRODUCTION

This section of the child protection policy sets the foundation on which the rest of the policy sits. It outlines the commitment of your organisation, the aim of the policy, and assigns responsibility.

STATEMENT OF COMMITMENT

A statement of intent that demonstrates a commitment to safeguard children from harm clearly defines for everyone what is required in relation to the protection of children. It helps to create a safe and positive environment for children and to show that your organisation is taking its duty and responsibility of care seriously.

Examples of Policy Statements:

- {Your Organisation} is committed to the prevention of abuse and to the well-being of members, children, young people, vulnerable adults and their families.
- {Your Organisation} is committed to acting at all times in the best interest of the children, young people and vulnerable adults to whom it provides a service.
- {Your Organisation} is committed to dealing with abuse, suspected abuse or disclosure of abuse in a timely fashion.
- {Your Organisation} recognises that the family's primary role in caring and protecting the child should be valued and maintained. However the child's safety and wellbeing should have priority.
- {Your Organisation} acknowledges that in cases of suspected child abuse, support for families is important.
- {Your Organisation} agrees that working in accordance with this policy requires staff to be trained and supported.
- {Your Organisation} will ensure any disclosures about alleged abuse are acknowledged and appropriate action taken to ensure the safety of children who make disclosures.
- {Your Organisation} is committed to complying with all relevant legislation.



AIMS AND RESPONSIBILITIES

As an introduction to your child protection policy it is important that you set the context by documenting some information about the policy (or collection of policies), and its intentions:

- Objective or purpose
- Related Documents
- Scope
- Principles
- Definitions
- Specific Organisation Requirements
- Responsibilities
- Review

What is the overall objective of this child protection policy?

Examples of Policy Statement:

The safety of the child is our prime consideration at all times.

Related Documents:

What other documents relate to this child protection policy? Identify and list all the policies that your organisation already has which must be linked into this document. Identify and list any resources, legislation or agreements that will be relevant to this child protection policy.

Examples of Policy Statements:

The child protection policy is to be used in conjunction with the following existing policies:

- Complaints Policy
- Human Resource Guide
- Transport Policy
- Lifting and Transfer of Students Policy
- Safe Recruitment Policy

This child protection policy adheres to the following Acts:

- Health and Disability Commissioner Act 1994
- Children Young Persons and Their Families Act 1989
- Privacy Act 1993
- Human Rights Act 1993
- Education Act 1989/1998
- Domestic Violence Act 1995
- Care of Children Act 2004
- Employment Relations Act 2000
- Child Young Person and their Families Act 1989
- Code of Health and Disability Services Consumers' Rights
- Vulnerable Children's Act 2014

Scope:

Who does this child protection policy apply to? Identify which children and adults are covered by it.

Examples of Policy Statements:

- This policy applies to all children who are clients of this organisation, and to those with whom personnel come into contact in the course of their work with {your organisation}.
- It applies to staff, volunteers and management of {your organisation}.
- It also applies to any contracted personnel providing support services to families and members, (including child care), and to those providing support services to staff.

Definitions:

Clearly state the definitions that your organisation uses in describing child abuse, ages of children or any other terms to be used in the child protection policy.

Examples of Policy Statement:

- A child is defined as anyone under the age of 18
- An adult receiving a service as a result of their deafness or disability could be regarded as a 'vulnerable adult' and thereby also covered by this policy.
- 'Staff' is defined as those who are employed directly by or volunteer for, {your organisation}, as well as staff and volunteers of partner organisations whilst they are working with children and young people in the care or supervision of {your organisation}.

Responsibilities:

The person, or persons, who hold the responsibility for child protection, and therefore this policy, within your organisation should be named. This function should be carried by someone who has the ability within your organisation to implement change and the authority to influence the principles of your organisation. This function can be referred to as the Designated Person for Child Protection or the Child Protection Co-ordinator, or some other easily identified title to ensure that the person carrying this function is easily identified by staff, volunteers and parents or whanau.

Note: It should have been agreed who was responsible as part of Plan and Prepare.

Review:

How often will the child protection policy and all the sub policies that it contains be reviewed? This must be recorded on the Policy.

Example of Policy Statement:

- The child protection policy and all its sub policies and related policies, will be reviewed annually.



DEFINITION OF CHILD ABUSE

This section of the child protection policy clearly defines your organisation's definition of child abuse and neglect. This section creates a clear and agreed understanding to support staff who may be unsure of their concerns.

IDENTIFICATION OF ABUSE AND NEGLECT

All staff must be able to clearly identify the signs and symptoms of abuse, and have the confidence to take the appropriate action.

Examples of Policy Statements:

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 or as a check list.**

Physical Abuse

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

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

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

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.

Notes:

These definitions are sourced from *How Can I Tell?* published by Child Matters.

It may be useful to provide staff with further information to identify child abuse and neglect, either in the Appendix or by providing a reference guide such as *How Can I Tell?*

CHILD PROTECTION PROCEDURES

This section of the child protection policy clearly outlines what should be done if there is a concern that a child is suffering, or at risk of suffering, from abuse or neglect. These procedures must be followed in all circumstances, including if the allegation is made against a parent or caregiver, a member of staff, or someone else. Included in this section are guidelines for confidentiality and information sharing, and relationships with external agencies.

PROCEDURES FOR RESPONDING AND REPORTING CHILD ABUSE

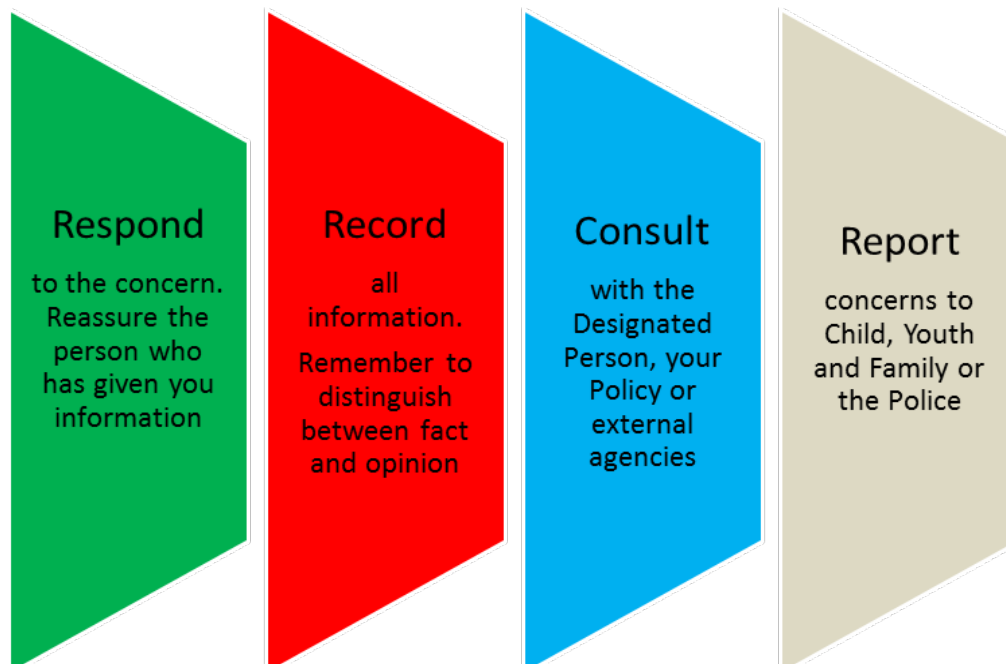
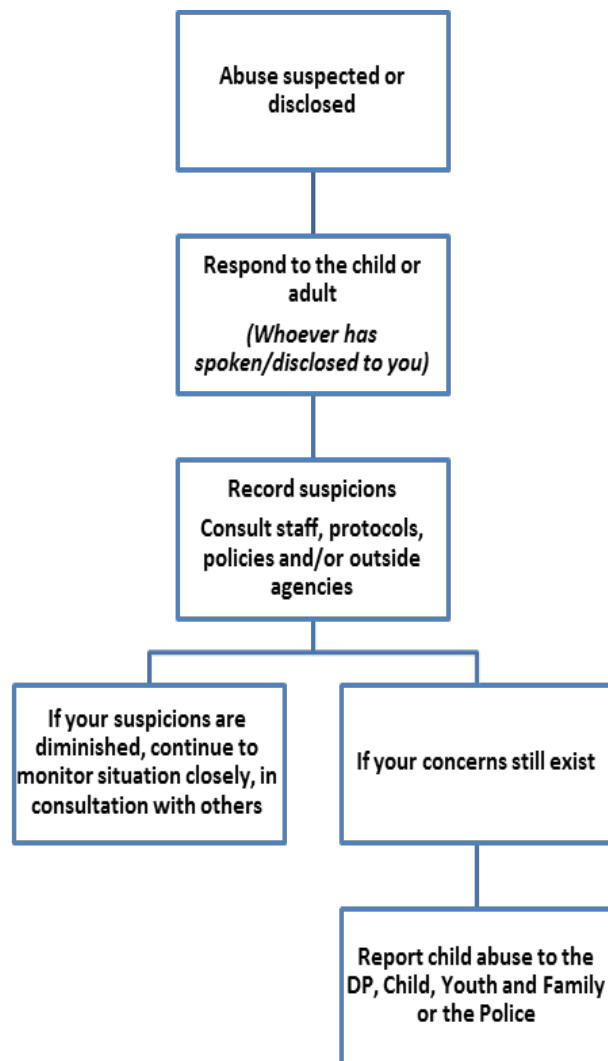
Any issues of suspected child abuse must be taken seriously and handled in an appropriate manner that ensures the child's safety. The Designated Person for Child Protection is responsible for ensuring that the procedure for reporting child abuse is effective and timely. If a member of staff has a child protection concern then they must inform the Designated Person as soon as possible. It should be considered whether a specific form is used, printed on coloured paper, so that concerns can be identified easily.

Consider:

- Who will your organisation consult with in situations regarding suspicions of child abuse?
- Who in your organisation needs to know each time a situation arises? Who should be contacted if the Designated Person is unavailable?
- What will be the acceptable time frame for acting by each person involved?
- Who are the agencies who can provide support and counselling for staff and families when child abuse is suspected? What are their contact details?
- How will you include bullying, or harmful behaviour by another child in this policy? How will you handle the disclosure to each of the parents?
- Will there be a standard form for recording concerns? Where will these be stored?
- What can staff do if they are unhappy about how the situation is being handled within your organisation once it has been reported? What can your organisation do if they are unhappy about how the situation is being handled by external agencies?
- What debriefing and review will be undertaken after each incidence of suspected abuse?
- What will be your organisation's position when there is an allegation of abuse against someone closely associated with a member of staff?



PROCEDURES FOR RESPONDING AND REPORTING CHILD ABUSE



Examples of Policy Statements:

- When abuse is suspected or an allegation made against another person, the first consideration will be to ensure the safety of child.
- Staff will not act alone about suspicions, but will consult with their manager or supervisor who will be committed to taking action as outlined in these procedures. Staff will not act in a way that is outside their knowledge or capacity.
- The Designated Person for Child Protection will consult with Child, Youth and Family to clarify whether a notification of concern should take place.
- When child abuse is suspected the Designated Person for Child Protection or senior manager will inform Child, Youth and Family or the Police.
- At any time, any member of staff who has concerns regarding the safety and protection of a child may ring Child Youth and Family Services on 0508 FAMILY.
- If it is decided that concerns do not require a notification to statutory authorities, the child will continue to be monitored, and records kept.
- All suspicions and information will be recorded factually, and held confidentially. Anything that is an opinion or a personal concern will be identified as such and not as being fact.
- 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:
 1. The parent or caregiver is the alleged perpetrator
 2. It is possible that the child may be intimidated into silence
 3. There is a strong likelihood that evidence will be destroyed
 4. The child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision
- Staff will not question extensively a child who has disclosed abuse, or who is displaying signs of possible abuse. However, it is important that a child is listened to and responded to appropriately.
- In all cases of suspected abuse, the information and concerns will be made available only to those staff who have a need to know. This will be determined by the Designated Person for Child Protection.
- All staff members involved will be kept informed as far as possible within the limits of confidentiality and the need to protect the best interest of the child. This will be determined by the Designated Person for Child Protection.



CONFIDENTIALITY AND INFORMATION SHARING

Keeping children safe requires the appropriate sharing of information subject to legal restrictions and the best interests of the child.

Consider:

- Who will be the person in your organisation responsible for deciding when and how information is given?
- What proof of identity and need for the information will you require before giving information?
- Who is the most appropriate person to give this information?
- What record of this action will be required?
- What support will be provided for a staff member who is required to be a witness in a court case, or to prepare an affidavit?
- When will written authority from the parent be necessary?
- Will your organisation request copies of any report made from this information? If so, who will manage this?
- What information does your organisation need to be aware of regarding the legal rights of family members?
- How will your organisation make sure that the designated staff members have access to the required information and at the same time comply with the Privacy Act 1993?
- Will your organisation allow children to be interviewed at the premises of the organisation? If so, will another person accompany the child and who will this be?



Examples of Policy Statements:

- {Your Organisation} recognises that all staff must act within the legal requirements of the Privacy Act, Children, Young Person's and their Families Act, Health Information Act and other statutes. There are provisions within each of these acts for sharing information needed to protect children and enable other people to carry out their legitimate functions. In general staff will not share information if they believe that by doing so this will endanger the child.
- {Your Organisation} encourages the sharing of information when appropriate steps have been taken.
- Staff may be asked to provide information to Child, Youth and Family, the Police, Court or Lawyers and Psychologists.
- Information sharing will be restricted to those who have a need to know in order to protect children.
- When any of the above contacts a staff member for information that staff member must first refer to their manager or supervisor for clearance before providing the information.
- Information will be only be given after the staff member has identified the person making the request, the actual purpose of the request, what use the information will be put to, and who will see the information.
- In the case of a Social Worker or Counsel for Child wishing to interview a child while in the care of {your organisation}, the staff member must consult their manager to be certain that such an interview will be undertaken legally and in the best interests of the child.
- All staff will follow the detailed process as outlined in Responding to Requests for Information which is contained in the Staff Handbook.
- A child's records will be kept as factual as possible, and nothing will be recorded as fact without evidence to back it up. This means, for example, that no entry will be made on a child's record about guardianship of a child without sighting the appropriate documentation.



RELATIONSHIPS WITH EXTERNAL AGENCIES

Positive relationships must be maintained with agencies that can support your organisation in child protection related matters.

Consider:

- Who will be responsible for maintaining the relationships with other organisations and government agencies?
- How will staff be kept informed of the services of other agencies?
- What will be the process for networking with other agencies?
- Will your organisation or staff members meet representatives of the local Care and Protection Resource Panel?

Examples of Policy Statements:

- {Your Organisation} will maintain 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. We will consult with Child, Youth and Family, the Police, and with other appropriate agencies that have specialist knowledge to help us protect children from abuse.
- {Your Organisation} believes that in order to keep children safe, people who suspect or uncover abuse should not be tempted to deal with cases themselves. 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.
- {Your Organisation} will ensure that it has contacts for Child, Youth and Family and Police offices. The Designated Person for Child Protection will maintain this information.
- {Your Organisation} recognises that by law, [Sec 15 of the Children, young Persons and their Families Act 1989] any person may report a case of suspected abuse to the statutory agencies.
- A list of specialist agencies will be kept and updated by the Designated Person for Child Protection. A copy of this will be made available to all staff.
- The Designated Person for Child Protection will meet regularly with a contact person from a specialist agency to ensure that a trusted relationship is maintained in order that {Your Organisation} can seek help easily and appropriately.
- {Your Organisation} will also maintain relationships with NGOs and agencies that provide services to children and families.
- {Your Organisation} encourages the networking of agencies, and staff will undertake an active programme for maintaining the relationships between the agencies.

MANAGING ALLEGATIONS AGAINST STAFF

This section of child protection policy outlines your organisation's procedures for responding to an allegation against a member of staff. This section specifically applies to the procedures for the staff member, as the response to the child is outlined in the section CHILD PROTECTION PROCEDURES

MANAGING ALLEGATIONS AGAINST STAFF

Any allegation that a member of staff has behaved in an inappropriate or unsafe way must be taken seriously and handled in an appropriate manner that ensures the child's safety.

Consider:

- Who will the organisation consult with in situations regarding suspicions of child abuse?
- Who in the organisation needs to know each time a situation arises?
- What will be the acceptable time frame for acting by each person involved?
- Who is going to take the lead in ensuring that this policy is followed when child abuse is suspected?
- How will your organisation ensure that the person has the skills to do this?
- Who will be your legal or employment adviser?
- What provisions will you make for staff who are suspected of abuse?
- What debriefing and review will be undertaken after such an incidence of suspected abuse?
- Who in the organisation will be the person to whom allegations are reported? What will happen if the allegation is about that person?



Examples of Policy Statements:

- {Your Organisation} will respond to suspicions and allegations of child abuse by a member of staff in a manner which best ensures children's or young persons' immediate and long-term safety and will treat suspicions or allegations against a staff member with the same seriousness as suspicions or allegations made against any other person.
- {Your Organisation} will not act alone, and will refer all suspected situations of child abuse to Police or Child, Youth and Family. The safety of the child will be the primary consideration, and no person in this organisation will collude to protect an adult or an organisation.
- Allegations will be treated in such a way that the rights of adults and the stress upon the staff member are also taken into consideration.
- When abuse is suspected or an allegation made against a staff member, the first consideration will be to ensure the safety of the child.
- When abuse is suspected, staff will follow the process for Responding to Suspected Child Abuse included in this policy.
- 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.
- The person managing the child abuse concern will not be the same person as that managing the employment issue.
- The suspected staff member (or volunteer) will be prevented from having further unsupervised access to children during any investigation and will be informed fully of their rights.
- Staff will declare to a senior person any situation where there could be a conflict of interest, and provision made on a case-by-case basis about who will handle the process.
- If a child discloses abuse, staff will also follow the guide Dealing with Disclosures of Abuse.
- {Your Organisation} will adhere to the principles of the Employment Contract's Act and give the staff member all information regarding this or her rights.
- {Your Organisation} recognises the added stress to fellow staff in such a situation, and will ensure support is available.
- The Designated Person for Child Protection must immediately ensure that the suspected individual does not have any contact with the child making the allegation. A risk assessment must be undertaken to determine what level of access, if any, that person should have, to other children.
- 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.
- If {Your Organisation} 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 Child, Youth and Family or the Police will determine how this information is conveyed.
- {Your Organisation} should liaise with Child Youth and Family and the Police regarding the progress of the investigation.
- 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 of poor practice by a member of staff which needs to be considered under internal disciplinary procedures.

ROLES AND RESPONSIBILITIES OF STAFF

This section of the child protection policy clearly outlines the expectations of staff, and the procedures followed by your organisation to ensure that all members of staff are clear of their role and responsibility to keep children safe. This includes the safe recruitment and training of staff.

SAFER RECRUITMENT

The single most effective time at which an organisation can minimise the possibility of abuse to children in its care, is the appointment of new staff. The vast majority of adults working with children provide a safe and supportive environment for those in their charge. Unfortunately, there will also be adults who wish to gain access to children for abusive purposes, and use employment as a means for this opportunity.

Time, care and patience devoted to checking every applicant will reduce the likelihood of pain and trauma later on. Relying on 'common sense' or a belief in the good intentions of staff does not adequately safeguard children, and therefore it is essential that organisations carry out a thorough safety check whether the applicant is a volunteer, employee or trustee.

Examples of Policy Statements:

- {Your Organisation} ensures that all staff working with children, both paid and voluntary, have been appropriately safety checked.
- {Your Organisation} ensures that all staff working with children are employed in accordance with the Safe Employment Policy.

Notes

“Screening” means an internal process for identifying suitable candidates – in this case, those who can be relied on to keep children in your care safe. Screening is about following a process to collect enough information so that you can be satisfied, having assessed the risks, that the applicant is safe to work with children in the role they are applying for. More specifically, it means verifying their identity, gathering information about them through application forms, interviews and reference checks, and finally checking what you know through the use of external checks like the Police vetting service.

“Vetting” means the formal process of obtaining checks from another agency, e.g. the Police vetting service, criminal record checks

Further guidance regarding the safe recruitment of staff can be found in the publication **Safer Recruitment, Safer Children** jointly published by Child Matters and the Children’s Action Plan.



TRAINING OF STAFF

Organisations should ensure their members of staff, paid and voluntary, are trained to recognise child abuse. Training should enable staff to:

- Identify when children are at risk
- Take thorough and effective preventive action
- Respond in the most appropriate way to children who are suspected of being abused
- Report their concerns appropriately
- Support children, staff and family members or whanau
- Recognise their responsibilities about suspected poor practice or possible abuse.

Having staff that are well trained and following sound practices can act as a deterrent to offenders who are seeking work around children, and also minimise any opportunity for potential abuse to occur.

Records of training need to be kept to ensure that training is appropriate and regularly updated.

(1) INDUCTION TRAINING

To ensure all new employees, trustees or volunteers receive appropriate induction training.

Consider:

- What is the basic information to be included in the induction training?
- How, and how often, will the organisation review and assess current levels of child protection knowledge?
- What will be the basic competence needed of the person or agency delivering the induction training, and who will undertake the training?
- How will the organisation ensure that all new staff are clear that they will be required to undertake training?

Examples of Policy Statements:

- {Your Organisation} recognises that induction training for new employees is critical to the safety of children and all staff whether paid or unpaid will attend induction training on child abuse. They will also be required to attend training to understand and carry out the child protection policy, and their further training needs will be identified.
- All new staff will undertake an induction programme that requires them to read and understand specific material and information about child abuse.
- A child protection component will be part of the induction training for the Board of Trustees.
- All new staff members will attend an informative session where this Child Protection Policy is clearly explained.
- All staff will read and have a copy of the Child Protection Policy. Reference to the Child Protection Policy will be made on a regular basis in staff meetings and training sessions, so that staff remain familiar with and up to date with the policy statements and procedures.

(2) ON-GOING OR REFRESHER TRAINING

To ensure all staff receive appropriate child protection training.

Consider:

- How will staff be kept informed on current child protection issues?
- What support and advice is available if staff have queries?
- What will the training delivery process look like, what level of training will be delivered within the organisation, and what public training programmes will staff attend?
- How will child protection training be incorporated into each staff member's annual performance review?
- How will the organisation keep a record of all training and review dates?
- What training over and above that which has been mandated by the organisation are staff members welcome to attend, and what support will be available for this?
- What training or support will be provided to those responsible for dealing with complaints and disciplinary procedures relating to child abuse and inappropriate behaviour towards children?

Examples of Policy Statements:

- The ability of staff to protect children in their care is critical. All staff will be expected to undertake training in child protection at a level appropriate to their position. {Your Organisation} will ensure that such knowledge is kept up-to-date and relevant.
- All staff will be expected to complete basic training covering how to recognise and respond to children affected by child abuse and family violence.
- {Your Organisation} will have a clear organisation-wide plan of the training programme for all staff in child protection issues.
- While it is desirable that all staff attend the Child Protection Studies Programme, there will always be a minimum of two staff members who have completed this level of training.
- Time will be made available on full pay to attend these programmes, and costs will be met by {Your Organisation}.
- Staff will undertake refresher training every three years.

(3) TRAINING BUDGETS AND RESOURCES

To ensure sufficient time, resources and funding are available to allow appropriate child protection training.

Consider:

- What topics need to be covered in general training to ensure the preventing, detecting and responding to child abuse?
- Who needs training, at what level, and how often?
- What will be the levels of knowledge required by each member of staff, whether permanent, casual, paid, or volunteer?
- Who will receive the specialist training in child protection for team leaders, supervisors and the Designated Person for Child Protection?

Examples of Policy Statements:

- {Your Organisation} believes that trained staff are essential and will provide time, resources and funding to support this process.
- The training opportunity is also available to volunteers, and will be undertaken in agreement with the manager.
- Opportunities for inter-agency training will be made available.
- The Designated Person for Child Protection will be responsible for overseeing this policy.

SAFE WORKING PRACTICES

This section of the child protection policy outlines the expected behaviour of staff in their day to day work. Further information regarding Safe Working Practices is included in Section Three.

SAFE WORKING PRACTICES

In all organisations there is a 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.

Consider:

- What are the acceptable limits and boundaries expected between the professional and personal lives of staff? Are these the same for all staff?
- How will staff be informed of expected behaviour?
- What will be the consequences of breaching the accepted Safe Working Practices and how will these consequences be linked to your organisation's disciplinary procedures?
- Will the Code of Conduct be displayed prominently for all staff and parents, whanau or caregivers to view?
- How will staff be consulted in the development of Safe Working Practice guidance
- What situations, specific to your organisation, need to be covered by agreed Safe Working Practices?



Examples of Policy Statements:

- {Your Organisation} believes that as far as possible, staff working with children and families should keep their personal and professional lives separate, and does not encourage close personal relationships or care-taking activities outside the work environment.
- All members of staff, whether paid or voluntary, are expected to follow guidelines that clarify appropriate behaviour. {Your Organisation} will review these regularly with staff to ensure that the guidelines meet the needs arising from ever-changing environments and situations.
- All staff are to have a clear understanding of, and to agree to {Your Organisation}'s Code of Ethics.
- Staff are to inform their senior manager of any existing relationships with members, students, clients or their families which could constitute a conflict of interest, or place the staff member in a position of compromise.
- Staff are to inform their senior manager of any potential situations of possible compromise or conflict of interest that arise as part of their work.
- No staff member is to enter into any relationship with a child, young person or family, which could mean that any other section of this policy, is compromised.

Notes

This section should conform to {Your Organisation}'s Code of Conduct and the regulatory body's Code of Ethics.

A Code of Conduct is not limited to Safe Working Practices, but also contains information regarding Health and Safety Policy and Human Resources Policy. Guidance for the safe behaviour of staff must be clearly identified and easily recognised.



SECTION THREE:

Safe Working Practices



SECTION THREE:

Safe Working Practices

Having an agreed expectation of the behaviour of staff can be the most effective way of not only ensuring the safety of children within your organisation, but also reducing any allegations made against a member of staff. By developing a guide which identifies the practices which are considered to be safe ways of working, it ensures that all staff are behaving consistently, and within the parameters that your organisation has identified. This ensures that all staff are working in ways which reduce any risk to children, and minimises the opportunity for harmful behaviour to occur. If a member of staff consistently steps outside of the agreed ways of behaving they are easier to identify and appropriate action can be taken. Working in consistent and safe ways also mitigates the potential for allegations to be made against members of staff.

This section sets out to identify situations in which an organisation should consider having clear guidance on safe ways of working. These situations are general and varied, and do not cover every eventuality. It is essential that as part of the Plan and Prepare stage of the development of this guidance, situations specific to your organisation are identified so that safe working practices can be developed to respond to any potential concern.

This section has been developed with reference to “Guidance for safe working practices for adults working with children and young people” originally developed by the Department for Children, Organisations, and Families in the United Kingdom.



RESPONSIBILITIES OF STAFF

All adults who work with children have a responsibility to safeguard and promote their welfare. The public, employers, parents and whānau have the right to expect professionals working with children to behave to a certain standard, and to always maintain and protection the safety of children.

When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role, and act accordingly.

No guidance or Code of Conduct can provide a complete checklist of what is, or is not appropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge. Such judgements should always be recorded and shared with a member of the senior management team and with the parent or carer. In undertaking these actions individuals will be seen to be acting reasonably.

Organisations require staff to:

- Always act, and be seen to act, in the child's best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and intentions
- Take responsibility for their own actions and behaviour

Organisations should:

- Foster a culture of openness and support
- Ensure that systems are in place for concerns to be raised
- Ensure that there is in place effective recording systems which confirm discussions, decisions and the outcomes of any actions taken.
- Ensure that staff are not placed in situations which render them particularly vulnerable
- Ensure that all staff are aware of expectations, policies and procedures



(1) POWER AND POSITIONS OF TRUST

A relationship between an adult and a child or young person is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

Organisations require staff to NOT:

- Use their position to intimidate, bully, humiliate, threaten, coerce or undermine a child
- Use their status and standing to form or promote relationships which are of a sexual nature, or which may become so

(2) CONFIDENTIALITY

Adults may have access to confidential information about children in order to undertake their everyday responsibilities. This may be highly sensitive and private information about them or their family and whānau.

Care and consideration must be taken with the sharing of information. It is important that if a child is at risk of, or suffering, abuse then that information is passed to the appropriate person to take action.

Organisations need staff who:

- Are clear about when and with whom information can be shared, and in what circumstances it is appropriate to do so
- Are mindful about where discussions take place, ensuring this is in a private place where others will not overhear
- Treat information they receive about a child in a discreet and confidential manner, understanding that this is the child's personal information
- Do not disclose a child's identity where able to do so
- Seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them

(3) SHARING CONCERNS AND REPORTING INCIDENTS

Adults should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

Individuals should be aware of their organisation's process for reporting incidents, including concerns that staff may have about colleagues or other professionals. Staff should also be encouraged to self-report any situations that occurred that in hindsight might be viewed as inappropriate.

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of children

Organisations require staff who:

- Report any behaviour by colleagues that raises concern regardless of source

Organisations should:

- Foster a culture of openness and support
- Ensure that systems are in place for concerns to be raised
- Ensure that they have clear procedures for dealing with allegations against staff

(4) POSITIVE ROLE MODELS

Adults in contact with children should understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting. The behaviour of an adult's partner or other family and whānau members may raise similar concerns and require careful consideration by an employer as to whether there may be a potential risk to children in the workplace.

A person's dress and appearance are matters of personal choice and self-expression. However adults should dress in ways which are appropriate to their role and this may need to be different to how they dress when not at work.

Organisations require staff to wear clothing that:

- Is appropriate to their role
- Is not likely to be viewed as offensive, revealing, or sexually provocative
- Does not distract, cause embarrassment or give rise to misunderstanding
- Is absent of any political or otherwise contentious slogans



COMMUNICATION WITH CHILDREN, INCLUDING THE USE OF TECHNOLOGY

All interactions with children and young people need to be carefully considered and planned for as to how these may occur in a way that reduces potential risk to children. Adults should clearly understand the need to maintain appropriate professional boundaries in their communication with children, and expectations around boundaries need to be firmly established to provide guidance to adults. These situations include communicating with children at work, at home, in public settings and through the use of mobile technology and social media. This includes the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs.

Children are at increased risk of sexual abuse and exploitation where adults have the opportunity to gain access to children and young people in a setting that is not open to casual observation by other adults. Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming.

Organisations require staff to:

- Ensure that their communication with children takes place within the boundaries of a professional relationship and are open to scrutiny from other adults.
- Have no secret social contact with children or their parents
- Take care that their language or conduct does not give rise to comment or speculation
- Be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations.
- Consider the appropriateness of the social contact according to their role and nature of their work and always have any contact approved by senior colleagues
- Report and record any situation, which may place a child at risk or which may compromise the service or their own professional standing
- Be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with manager
- Understand that some communications may be called into question and need to be justified
- Ensure that personal social networking sites are set at private and children are never listed as approved contacts
- Never use or access social networking sites of children
- Do not give their personal contact details to children, including their mobile telephone number
- Only use equipment e.g. mobile phones, provided by organisation to communicate with children, making sure that parents have given permission for this form of communication to be used
- Only make contact with children for professional reasons and in accordance with any organisation policy
- Recognise that text messaging should only be used as part of an agreed protocol and when other forms of communication are not possible
- Not use internet or web-based communication channels to send personal messages to a child/ young person

(1) PHOTOGRAPHY, VIDEO AND IMAGES

Working with children may involve the taking or recording of images. Informed written consent from parents or carers and agreement, where possible, from the child or young person, should always be sought before an image is taken for any purpose.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Adults should ensure that children are not exposed to any inappropriate images or web links.

Organisations require staff to **NOT:**

- Display or distribute images of children unless they have consent to do so from parents/carers
- Use images which may cause distress
- Use mobile telephones or any other similar devices to take images of children
- Take images 'in secret', or take images in situations that may be construed as being secretive

Organisations require staff to:

- Ensure that children are not exposed to unsuitable material on the internet
- Ensure that any films or material shown to children are age appropriate

Organisations need to:

- Have clear e-safety policies in place about access to and use of the internet
- Make guidance available to both adults and children about appropriate usage



(2) ONE-TO-ONE SITUATIONS

Every organisation working with or on behalf of children and young people should consider one to one situations when drawing up their policies.

It is not realistic to state that one to one situations should never take place. It is however, appropriate to state that where there is a need, agreed with a senior manager and parents or whanau, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be in place. Adults should be offered training and guidance in the use of any areas of the workplace which may place them or children in vulnerable situations.

One to one situations have the potential to make a child or young person more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with children may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt should be made to ensure the safety and security of children and the adults who work with them.

There are occasions where managers will need to undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments should take into account the individual needs of the child or young person and the individual worker and any arrangements should be reviewed on a regular basis.

Organisations require staff to:

- Ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed.
- Avoid meetings with a child or young person in remote, secluded areas
- Always inform other colleagues or parents about the contact(s) beforehand, assessing the need to have them present or close by
- Always report any situation where a child becomes distressed or angry to a senior colleague
- Carefully consider the needs and circumstances of the child/children when in one to one situations

SOCIAL OR OVERLY FAMILIAR INTERACTIONS WITH CHILDREN

All staff who work with children and young people have a professional relationship with boundaries that must be maintained. While there may be some social or personal involvement, for example, a staff member may be friends with the child's parent, care must be taken to ensure the interactions and socialising between professionals and children or young people continues to be safe and appropriate.

Organisations require staff to:

- Ensure that their relationships with children clearly take place within the boundaries of a respectful professional relationship
- Take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls

(1) GIFTS, REWARDS AND FAVOURITISM

All adults should be aware of their organisations guidance on rewards including arrangements for the declaration of gifts received and given.

The giving of gifts or rewards to children should be part of an agreed policy for supporting positive behaviour or recognising particular achievements. Any gifts should be given openly and not be based on favouritism. Adults need to be aware however, that the giving of gifts can be misinterpreted by others as a gesture either to bribe or 'groom' a young person.

Care should also be taken to ensure that adults do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

Organisations require staff to:

- Be aware of their organisation's policy on the giving and receiving of gifts
- Only give gifts to an individual young person as part of an agreed reward system
- Ensure that gifts are of insignificant value
- Ensure that all selection processes which concern children are fair and that wherever practicable these are undertaken and agreed by more than one member of staff



(2) INFATUATIONS

Occasionally, a child or young person may develop an infatuation with an adult who works with them. These adults should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach.

An adult, who becomes aware that a child or young person is developing an infatuation, should discuss this at the earliest opportunity with a senior manager and parent/carer so appropriate action can be taken to avoid any hurt, distress or embarrassment.

(3) PHYSICAL INTERACTION WITH CHILDREN

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and will in some circumstances be inappropriate. When physical contact is made with a child this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Appropriate physical contact in organisations will occur most often with younger children.

Organisations require staff who:

- Are aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described
- Never touch a child in a way which may be considered indecent
- Are always be prepared to report and explain actions and accept that all physical contact be open to scrutiny
- Do not indulge in horseplay
- Always encourage children, where possible, to undertake self-care tasks independently
- Work within Health and Safety regulations
- Are aware of cultural or religious views about touching and always be sensitive to issues of gender

(4) CHILDREN AND YOUNG PEOPLE IN DISTRESS

There may be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Adults should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

Organisations require staff to:

- Consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way
- Be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances
- Follow professional guidance or code of practice
- Never touch a child in a way which may be considered indecent
- Record and report situations which may give rise to concern from either party

(5) BEHAVIOUR MANAGEMENT AND PHYSICAL INTERVENTION

There are circumstances in which adults working with children displaying extreme behaviours can legitimately intervene by using either non-restrictive or restrictive physical interventions.

The use of physical intervention should, wherever possible, be avoided. It should only be used to manage a child or young person's behaviour if it is necessary to prevent personal injury to the child, other children or an adult, to prevent serious damage to property or in what would reasonably be regarded as exceptional circumstances. When physical intervention is used it should be undertaken in such a way that maintains the safety and dignity of all concerned.

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they may cause. The minimum necessary force should be used and the techniques deployed in line with recommended policy and practice.



Organisations require staff to:

- Adhere to the organisation's physical intervention policy
- Always seek to defuse situations
- Always use minimum force for the shortest period necessary
- Record and report as soon as possible after the event any incident where physical intervention has been used.
- Are mindful of factors which may impact upon a child or young person's behaviour e.g. bullying, abuse and where necessary take appropriate action

Organisations should:

- Have in place appropriate behaviour management policies
- Where appropriate, develop positive handling plans in respect of an individual child or young person
- Have a policy on the use of physical intervention in place that complies with government guidance and legislation and describes the context in which it is appropriate to use physical intervention
- Ensure that an effective recording system is in place which allows for incidents to be tracked and monitored
- Ensure adults are familiar with the above
- Ensure that staff are appropriately trained

(6) OTHER ACTIVITIES THAT REQUIRE PHYSICAL CONTACT

Some adults who work in certain settings, for example sports, drama or outdoor activities or teach specific subjects such as PE or music, will have to initiate some physical contact with children, for example to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a child so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing codes of conduct, regulations and best practice.

(7) SEXUAL CONTACT

All adults should clearly understand the need to maintain appropriate boundaries in their contacts with children. Intimate or sexual relationships between children and young people and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual activity between an adult and the child or young person with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. Adults should be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

INTIMATE CARE OF CHILDREN

When working with young children, or children with disabilities or special needs, it is sometimes required to care for children in intimate ways. This can include changing them and applying medication. Consideration needs to be given to meeting the child's needs in a sensitive and caring manner, whilst ensuring this is done in a safe way.

(1) INTIMATE CARE

Some job responsibilities necessitate intimate physical contact with children on a regular basis, for example assisting young children with toileting, providing intimate care for children with disabilities or in the provision of medical care. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and be recorded as part of an agreed care plan. The emotional responses of any child to intimate care should be carefully and sensitively observed, and where necessary, any concerns passed to senior managers and parents/carers.

All children have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity should be encouraged to act as independently as possible.

The views of the child should be actively sought, wherever possible, when drawing up and reviewing formal arrangements.

As with all individual arrangements for intimate care needs, agreements between the child, parents or carers and your organisation must be negotiated and recorded.

Organisations require staff to:

- Adhere to the organisation's intimate care guidelines or code of practice
- Make other staff aware of the task being undertaken
- Explain to the child what is happening
- Consult with senior managers and parents and carers where any variation from agreed procedure and care plan is necessary
- Record the justification for any variations to the agreed procedure or care plan and share this information with parents
- Ensure that any changes to the agreed care plan are discussed, agreed and recorded

(2) PERSONAL CARE

Young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

Adults need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children with whom they work.

Organisations require staff who:

- Avoid any physical contact when children are in a state of undress
- Avoid any visually intrusive behaviour
- Where there are changing rooms announce their intention of entering

Organisations require staff to NOT:

- Change in the same place as children
- Shower or bathe with children
- Assist with any personal care task which a child or young person can undertake by themselves

(3) FIRST AID AND THE ADMINISTRATION OF MEDICATION

Some children may need medication to be administered while in the care of your organisation. In circumstances where children need medication regularly a health care plan should be drawn up to ensure the safety and protection of children and staff. With the permission of parents, children should be encouraged to self-administer medication or treatment including, for example any ointment, sun cream or use of inhalers.

When administering first aid, wherever possible, staff should ensure that another adult is present, or aware of the action being taken. Parents should always be informed when first aid has been administered.

Organisations require staff to:

- Adhere to the organisation's policy for administering first aid or medication
- Comply with the necessary reporting requirements
- Make other adults aware of the task being undertaken
- Explain to the child what is happening.
- Always act and be seen to act in the child's best interests
- Report and record any administration of first aid or medication
- Have regard to any health plan which is in place
- Always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities

Organisations should:

- Ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced intervention
- Ensure there are trained and named individuals to undertake first aid responsibilities
- Ensure training is regularly monitored and updated
- Always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication.

(4) WORKING WITH CHILDREN OFF-SITE

There may be occasions when work with children takes place outside of the normal work environment. This can be due to trips, camps, home visits or any number of reasons. Special care must be taken to ensure that safe practices are maintained.

(5) THE USE OF PERSONAL LIVING SPACE

No child or young person should be in or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/ carers and a senior manager.

It is not appropriate for any organisation or service to expect or request that private living space be used for work with children.

Under no circumstances should children assist with chores or tasks in the home of an adult who works with them. Neither should they be asked to do so by friends or family of that adult.

Organisations require staff who:

- Are vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations
- Challenge any request for their accommodation to be used as an additional resource for the organisation
- Are mindful of the need to maintain professional boundaries
- Refrain from asking children to undertake personal jobs or errands



(6) DAY TRIPS, AFTER HOURS ACTIVITIES AND OVERNIGHT CAMP

Adults should take particular care when supervising children on trips and outings, where the setting is less formal than the usual workplace. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries.

Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child ratios and to the gender mix of staff especially on overnight stays.

Organisations require staff to:

- Always have another adult present in out of workplace activities, unless otherwise agreed with a senior manager
- Undertake risk assessments in line with their organisation's policy where applicable
- Have parental consent to the activity
- Ensure that their behaviour remains professional at all times
- Never share beds with a child or young person
- Do not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with senior manager, parents and children

(7) HOME VISITS

Some working arrangements involve visiting children and their whānau in the home. In these circumstances it is essential that appropriate policies and related risk assessments are in place to safeguard children and the adults who work with them.

Organisations require staff to:

- Always make detailed records including times of arrival and departure and work undertaken
- Ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate, action is taken
- Never make a home visit outside agreed working arrangements

Organisations should:

- Ensure that they have home visit and lone-working policies which all adults are made aware of. These should include arrangements for risk assessment and management
- Ensure that all visits are justified and recorded
- Ensure that adults are not exposed to unacceptable risk

(8) TRANSPORTING CHILDREN

In certain situations staff or volunteers may agree to transport children. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise. Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as a supervisor.

There will be occasions when adults are expected or asked to transport children as part of their duties. Adults who are expected to use their own vehicles for transporting children should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

Organisations require staff who:

- Are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement or ability to drive
- Are aware that the safety and wellbeing of the child is their responsibility until they are safely passed over to a parent/carer
- Record details of the journey in accordance with agreed procedures
- Ensure that their behaviour is appropriate at all times
- Ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven
- Ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned

Organisations should:

- Have appropriate policies for transporting children



SECTION FOUR:

Additional Resources



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Additional Resources

RESPONDING TO CHILD ABUSE

ABUSE SUSPECTED

Child abuse or potential child abuse is suspected, witnessed, reported or disclosed.

If the child is in danger or unsafe, act immediately to secure their safety.

LISTEN, RECORD AND CONSULT

LISTEN to the child and reassure them, but do **NOT** make promises or commitments you cannot keep. Do **NOT** formally interview the child – obtain only necessary relevant facts if and when clarification is needed.

CAREFULLY RECORD any physical or behavioural observations and anything said by the child (using the child's own words as far as possible. Include, date, time, who was present etc.).

CONSULT immediately with the manager or nominated senior person in charge. Discuss and agree on an appropriate course of action, including whether a report of concern is to be made.

REPORT YOUR CONCERN

The designated person for child protection who received the information should contact Child, Youth and Family (0508 326 459) or the Police and make a report of concern.

If the alleged abuse is by a staff member

Follow the advice of CYF/Police.

Ensure there is no contact between the child or young person and the staff member who the allegation is against.

If the alleged abuse is by a non-staff member

Follow the advice of CYF/Police.

Ensure the child or young person is in a place of safety – their safety is **PARAMOUNT**.

INFORM

Consultation will take place between the Designated Person for Child Protection and Child, Youth and Family to decide who will inform the parents of the child and provide support for the family.



DEALING WITH DISCLOSURES OF ABUSE

Only a minority of children actively disclose abuse. Most child abuse is disclosed accidentally or through observation by an adult of a child's behaviour, words and physical appearance.

When a child does disclose abuse, this needs to be taken very seriously. It is important that any disclosure is dealt with appropriately, both for the wellbeing of the child and also to ensure that your actions do not jeopardise and legal action against the abuser.

There are a number of basic 'rules' that should be followed to ensure the safe handling of any disclosures of abuse from a child:

- **Don't panic.**
- Remember that the safety and well-being of the child come before the interests of any other person.
- **Listen to the child** and accept what the child says.
- **Look at the child** directly, but do not appear shocked.
- Don't seek help while the child is talking to you.
- Reassure them that they **did the right thing** by telling someone.
- Assure them that it is **not their fault** and you will do your best to help.
- Let them know that you **need to tell someone else**.
- Let them know **what you are going to do next** and that you will let them know what happens.
- Be aware that the child may have been threatened.
- **Write down what the child says** in their own words – record what you have seen and heard also.
- Make certain you distinguish between what the child has actually said and the inferences you may have made. Accuracy is paramount in this stage of the procedure
- **Tell your manager** or supervisor as soon as possible.
- **Refer to Child, Youth and Family or the Police.**
- After making the referral to Child, Youth and Family or the Police, **look after yourself**. Discuss the matter with your manager, supervisor or relevant person.

Important Notes:

- The same action should be taken if the allegation is about abuse that has taken place in the past, as it will be important to find out if the person is still working with or has access to the children
- Dealing with an allegation that a professional, staff member, foster carer or volunteer has abused a child is difficult but must be taken seriously and dealt with carefully and fairly.

Things TO SAY when a child discloses

- Repeat the last few words in a questioning manner
- 'I believe you'
- 'I am going to try to help you'
- 'I will help you'
- 'I am glad that you told me'
- 'You are not to blame'

Things NOT TO SAY when a child discloses

- 'You should have told someone before'
- 'I can't believe it! I am shocked!'
- 'Oh that explains a lot'
- 'No not...he's a friend of mine'
- 'I won't tell anyone else'
- 'Why? How? When? Where? Who?'

Things TO DO

- Reassure the child that it was right to tell you.
- Let them know what you are going to do next.
- Immediately seek help, in the first place from the designated person for child protection.
- Write down accurately what the child has told you. Sign and date your notes. Keep all notes in a secure place for an indefinite period.
- Seek help for yourself if you feel you need support.

Things NOT TO DO

- Do not attempt to deal with the situation yourself.
- **Do NOT formally interview the child:**
- Never ask leading questions.
- Never push for information or make assumptions.
- Only necessary relevant facts should be obtained, when clarification is needed.
- Do not make assumptions, offer alternative explanations or diminish the seriousness of the behaviour or alleged incidents.
- Do not keep the information to yourself or promise confidentiality.
- Do not take any action that might undermine any future investigation or disciplinary procedure, such as interviewing the alleged victim or potential witnesses, or informing the alleged perpetrator or parents or carers.
- Do not permit personal doubt to prevent you from reporting the allegation to the designated child protection officer.



RESPONDING TO REQUESTS FOR INFORMATION

Consider:

- Who wants the information?
- Who do they act for?
- What is the purpose of the information?
- What will be done with the information?
- Who else will see the information?
- How at risk is the child?
- Will the relationship between professionals and the family be so damaged by sharing information against their wishes that it may be better not to share?
- Does the information need to be shared now? Could it wait until the family have changed their mind about agreement?

Key points in regards to sharing information.

- Explain to people openly and honestly what information you will share, with whom and why. The only time you should **not** do this is if letting them know will leave someone at risk of significant harm.
- You must obtain consent from parents and caregivers unless someone will be placed at risk of significant harm if you don't share the information.
- If in doubt speak to your manager or supervisor.
- Make sure that the information that you are sharing is accurate, up to date, necessary for the purpose for which you are sharing it and only shared with those who need to know it.
- Differentiate between opinion and observation. If stating an opinion, record factual information that supports your opinion.
- The information should also be shared securely.
- Only share information that is relevant and pertinent to the reason the information has been requested
- Information sharing should be restricted to those who have a need to know in order to protect children.
- While the allegation is being considered or investigated every effort should be made to maintain confidentiality, and guard against publicity.
- Consent must be informed. This means that the person who has given consent understands:
 - Why people are being told information.
 - What will happen to the information;
 - Who will be told what;
 - Who they will then pass the information on to;

EXAMPLE OF CONCERN FORM

RECORD OF ISSUE OR CONCERN

Child name:		DOB:
Date:		Time:
Notes:		
Action:		
Signed:		Date:
Position:		



GLOSSARY

Adolescents

For the purpose of these guidelines adolescents (young people, teenagers) are 14 - 17 years and are a sub-category of children (0 - 17 years).

Bullying

“The intentional hurting of one person by another, where the relationship involves an imbalance of power. It is usually repetitive or persistent, although some one-off attacks can have a continuing harmful effect on the victim.” Anti-Bullying Alliance Statement of Purpose UK

Child

New Zealand’s legal definition of ‘child’ varies depending upon the legal context in which the child is being viewed (Children, Young Persons and Their Families Act 1989; Care of Children Act 2004; Domestic Violence Act 1995).

The United Nations Convention on the Rights of the Child states in Article 1, that ‘child’ means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Child Abuse

“The harming (whether physically, emotionally, or sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person.”

Section 2 (1), Children, Young Persons and Their Families Act 1989

Child Abuse and Neglect

Harming or maltreatment, whether physical, sexual, emotional (also called psychological) or, by neglect. Abuse is generally seen as an act of commission or a deliberate act, whereas neglect is seen as an act of omission or a failure to do something.

The Children, Young Persons and Their Families Act 1989, section 2(1), defines child abuse as “the harming (whether physically, emotionally, or sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person”.

Child Pornography

In accordance with the Optional Protocol to the Convention on the Rights of the Child, ‘child pornography’ means ‘any representation, by whatever means, of a child engaged in real or stimulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.’

Child Protection

An activity or initiative or project designed to protect children from any form of harm, particularly arising from child abuse or neglect.

Emotional Abuse

The persistent emotional ill treatment of a child adversely affects their development, it may involve conveying to a child that they are worthless, unloved, and inadequate; or where inappropriate expectations are imposed upon them. In addition, it includes children who are regularly frightened, exploited or corrupted.

Family Violence

Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

Neglect

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to, a child's basic emotional needs.

The Children, Young Persons and their Families Act 1989 defines neglect as: any act or omission that results in impaired physical functioning, injury, and/or development of a child or a young person.

It may include, but is not restricted to physical neglect ... neglectful supervision ... medical neglect ... abandonment ... [and] refusal to assume parental responsibility.

Notification, Referral, Reporting

Notification, referral and reporting are all terms used to describe making a report of concern to Child, Youth and Family or the Police.

Online Grooming

Online grooming of children occurs on the Internet. Some abusers will pose as children online and make arrangements to meet with them in person.

The act of sending an electronic message with indecent content to a recipient whom the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

Section 131B, Crimes Act 1961 [Section 131B: inserted, on 20 May 2005, by section 7 of the Crimes Amendment Act 2005 (2005 No41)].

Personnel or Staff

Personnel either employed by an organisation, or engaged by an organisation on a sub-contract basis, or engaged by an organisation on a voluntary or unpaid basis.

Physical Abuse

May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child including fabricating the symptoms of, or deliberately causing, ill health to a child.



Sexual Abuse

Involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts and non-physical contact – for example, sexual grooming. Sexual abuse may also include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

Sexual Grooming

Refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, in order to lower the child's inhibitions in preparation for child sexual abuse.

Sexual Grooming is a criminal offence.

Using Force

Using force for the purpose of disciplining a child is a criminal offence.

Section 59, Crimes Act 1961

[Section 59: substituted, on 21 June 2007, by section 5 of the Crimes (Substituted Section 59) Amendment Act 2007 (2007 No 18)].

Vulnerable Children

Children who are particularly vulnerable to abuse, such as very young children or those with physical and mental disabilities.

REFERENCES

Child Matters

www.childmatters.org.nz

Child, Youth and Family

www.cyf.govt.nz

www.practicecentre.cyf.govt.nz

Office of the Children's Commissioner

www.occ.govt.nz

Children's Action Plan

www.childrensactionplan.govt.nz



NOTES





EDUCATING TO PREVENT CHILD ABUSE

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