

Child Protection Policy

Purpose, Scope and Principles

1. The purpose of this document is to outline InsideOUT's policy on enacting the [Children's Act 2014](#) (hereafter referred to as 'the Act'). InsideOUT recognises that it may from time to time provide services to vulnerable children or young people, as defined in Article 15 of the Act, and as such has an obligation as set out in Article 6 of the Act. This policy will be reviewed annually by the InsideOUT Board as part of our policy review cycle.
2. Our Child Protection Policy supports our staff to respond appropriately to potential child protection concerns, including suspected abuse or neglect. It is our organisation's commitment to protect children from abuse and to recognise the important roles all of our staff have in protecting children.
3. This policy provides a broad framework and expectations to protect children, including (but not limited to) staff behaviours in response to actual or suspected child abuse and neglect. This policy will also help our staff to identify and respond to the needs of children and young people whose wellbeing may be of concern. It applies to all staff, including volunteers and part-time or temporary roles and contractors. It is intended to protect all children that staff may encounter, including siblings, the children of adults accessing services and any other children encountered by staff as they provide their services. This policy will also guide staff to make referrals of suspected child abuse and neglect to the statutory agencies – i.e., Oranga Tamariki and the Police.
4. We recognise that in many of these cases, the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. Throughout New Zealand, statutory and non-statutory agencies provide a network of mutually supportive services, and it is important for our organisation to work with these to respond to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk.

Safety Checks

5. As defined in Part 3 (Articles 21 through 44), safety checks must be completed on all staff and volunteers of InsideOUT who are core or non-core children's workers. This is defined as staff and volunteers who have regular (even if limited) contact with children and young people aged 17 years or under.

Core and Non-Core Children's Workers Definitions

6. The Children's Act creates two types of children's workers: core children's workers and non-core children's workers.
7. **Core children's workers** are employed by the state sector or government funded organisations to provide regulated services. In the course of that work, the person is either:

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

- a. the only person present; or
 - b. is the children's worker who has primary responsibility for, or authority over the child or children present.
8. Examples of roles that may meet this definition at InsideOUT are our paid staff working with young people aged 17 or under, such as our Schools Coordinator roles and on occasion our Volunteer and Education Coordinator.
9. **Non-core worker** simply means a children's worker who is not a core worker. Examples of roles that may meet this definition at InsideOUT could be a volunteer accompanying one of our Schools Coordinators to visit a school or facilitate a workshop.

Those Required To Be Safety Checked

10. InsideOUT staff and volunteers must be safety checked, including (but not limited to):
- a. all governance Board members;
 - b. all employees;
 - c. contract or casual staff in a core worker, non-core worker or children's worker role; and
 - d. volunteers undertaking a core worker, non-core worker or children's worker role at Shift Hui or a similar undertaking.

Exceptions

11. A volunteer may not need to be safety checked if the task they are undertaking with the organisation is of fixed description and length (e.g. assisting with an event where a large number of representatives of InsideOUT will be present), and it can be guaranteed that the volunteer will not end up in the role of core worker or children's worker at any point.

Responsibility for Safety Checks

12. It is the responsibility of the Managing Director (MD) to ensure that all relevant people have completed safety checks within the organisation, except for the safety check on the MD. It is the responsibility of the Governance Board to complete and renew the safety check on the MD.

Requirements of Safety Checks

13. A safety check includes:
- a. identity verification;
 - b. police vetting;
 - c. reference checks;
 - d. employment verification checks;
 - e. checks with relevant professional registration bodies or licensing authorities;
 - f. interviews; and
 - g. a risk assessment that considers the specific child safety related risk.

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

14. <https://www.police.govt.nz/advice-services/businesses-and-organisations/vetting> - Link to Police Vetting.
15. Police checks are conducted under the [Criminal Record \(Clean Slate\) Act 2004](#).
16. The information from the safety check will be assessed to see if the potential children's worker would pose any threat to children.

Validity of Safety Checks

17. InsideOUT will generally conduct its own safety checks.
18. Where a core worker or children's worker is being referred to InsideOUT (for example, a student on placement from a tertiary institution), InsideOUT will accept a forwarded safety check from reputable institutions, where the MD has no reason to suspect the safety check has been altered or redacted in any way in the forwarding process.

Renewal of Safety Checks

19. All safety checks are required to be renewed no more than three years from the date of last safety check.
20. The Managing Director will monitor this and ensure that any workers still engaged with the organisation after three years have their safety check renewed in a timely manner. A spreadsheet of staff, Board and volunteers who have been police checked with expiry dates will be shared with the Board.

Confidentiality of Information Provided for Safety Checks

21. The information provided for the purposes of a safety check will be kept confidential to the MD. Where, for administrative purposes or otherwise, other representatives of InsideOUT are required to have access to this information, those representatives will have passed a safety check, and (if appropriate) have signed a confidentiality agreement with InsideOUT, and remain under strict supervision.
22. The information provided for the purposes of safety checks will not be used for any other purpose within the organisation.

Review of Result from a Safety Check

23. The information provided as the result of a safety check will be kept confidential to the MD, except where results require action on behalf of the MD. Where the results from a safety check require further action, the MD will in the first instance discuss what action to take with the Chair of the Board, in discussion with the Executive Advisors if appropriate.
24. The information provided as the result of a safety check on the MD will be kept confidential to the Chair of the organisation, except where results require action.

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

Results Requiring Action

25. Any results from the safety check specified in Schedule 2 of the Act will be grounds for decline of any position at InsideOUT.
26. Other results from the safety check will be assessed on a case by case basis depending on the intended role of the worker. In particular, those results which will require further action include (but not limited to):
 - a. convictions relating to fraud;
 - b. supply of age restricted items (alcohol, movies, etc) to those 17 or under (or the relevant age for the item in question);
 - c. convictions related to possession, use, distribution or manufacture of Class A or Class B drugs;
 - d. weapons related convictions; and
 - e. disqualification from driving (related to the InsideOUT Driving Policy).
27. Results which do not require any further action:
 - a. Possession or use of Class C drugs.

Delay in Safety Check Processing

28. At times, the delay in safety checking may be detrimental to the individual or the organisation. All efforts are made to complete the safety check sufficiently far in advance of beginning any role at InsideOUT.
29. Where it is not possible to wait for the results of a safety check before beginning with the organisation, the worker will not begin the core worker or children's worker aspect of their role until the safety check has been completed. In particular, this means no unsupervised access to those under the age of 18.

Volunteers

30. Volunteers are not required by the Children's Act 2014 to be safety checked, however InsideOUT ensures volunteers are supported to raise any concerns about vulnerable children should they arise.
31. InsideOUT avoids creating situations where a volunteer would be alone with a young person.
32. All volunteers have regular contact with a staff supervisor, providing an opportunity for them to raise questions or concerns about any vulnerable children, or concerning behaviour towards children or a young person, that is observed or heard about. In induction volunteers are notified they can contact the MD or another member of staff if they have any concerns.
33. In the course of a major event (i.e. Shift Hui), regular debrief and supervision time with other volunteers or staff allow this opportunity to raise concerns, and volunteers in support roles (counsellors, social workers, youth workers) will undergo police vetting prior to commencing their role.

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

34. InsideOUT does safety check governance Board members, as a requirement of our MSD Accreditation.
35. Where there is sufficient concern to warrant further action, the MD will take further action as outlined further down the policy.

Training

36. We are committed to maintaining and increasing staff awareness for how to prevent, recognise and respond to abuse through appropriate training. As part of their induction, new staff are made aware of the policy on child protection. Training on identifying vulnerable children at risk of abuse and neglect will be provided to those who fill a core worker or children's worker role at InsideOUT. This is a topic that is covered in pre-training for children's workers volunteering at Shift Hui.
37. Training will be provided by a specialised external provider when appropriate. Key staff and volunteers will be targeted for this training when opportunities arise for it, and when it is needed, i.e. in the lead up to a hui.
38. This will be in one of three formats:
 - a. External trainer running a workshop at InsideOUT, for representatives of InsideOUT.
 - b. Representatives of InsideOUT attending a training session run by an external trainer.
 - c. Staff who have undergone an external training course will provide training to other representatives of InsideOUT on an as needed basis (for example, at pre-hui training).
39. The MD will have supervision on a regular basis paid for by the organisation.

Identifying Vulnerable Children

40. In accordance with Part 1 of the Act, being Articles 4 through 13, InsideOUT is committed to improving wellbeing for vulnerable children. Much of the work that InsideOUT does as part of its core services (School's Network, youth hui, awareness days, Day of Silence etc.) contribute towards this aim wholly or in part, meeting items (b) through (f) of Article 6.
41. This section sets out to explicitly identify activities InsideOUT will undertake to protect vulnerable children from abuse and neglect, that is item (a) of Article 6. This will make use of the existing processes and training opportunities that InsideOUT has for its staff and volunteers.

Identifying Child Abuse and Neglect

42. Our approach to identifying abuse or neglect is guided by the following principles:
43. We understand that every situation is different and it's important to consider all available information about the child and their environment before reaching conclusions. For

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

example, behavioural concerns may be the result of life events, such as divorce, accidental injury, or the arrival of a new sibling.

44. We understand that when we are concerned that a child or young person may be showing signs of potential abuse or neglect we should talk to someone, either a colleague, manager/supervisor or the Designated Person for Child Protection – we shouldn't act alone.
45. While there are different definitions of abuse, the important thing is for us to consider overall wellbeing and the risk of harm to the child or young person. It is not so important to be able to categorise the type of abuse or neglect.
46. It is normal for us to feel uncertain, however, the important thing is that we should be able to recognise when something is wrong, especially if we notice a pattern forming or several signs that make us concerned.
47. Exposure to intimate partner violence (IPV) is a form of child abuse. There is a high rate of co-occurrence between IPV and the physical and emotional abuse of children.
48. We recognise the signs of potential abuse:
 - a. Physical signs (e.g., unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases).
 - b. Developmental delays (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
 - c. Emotional abuse/neglect (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).
 - d. Behavioural concerns (e.g., age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression).
 - e. The child talking about things that indicate abuse (sometimes called an allegation or disclosure).
49. We are aware of the signs of potential neglect:
 - a. Physical signs (e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight).
 - b. Developmental delays (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
 - c. Emotional abuse/neglect (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).
 - d. Behavioural concerns (e.g., disengagement/ neediness, eating disorders/substance abuse, aggression).
 - e. Neglectful supervision (e.g., out and about unsupervised, left alone, no safe home to return to).
 - f. Medical neglect (e.g., persistent nappy rash or skin disorders or other untreated medical issues).
50. InsideOUT will always act on the recommendations of statutory agencies, including Oranga Tamariki and the NZ Police. We will only inform families/whānau about

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

suspected or actual abuse after we have discussed this with these agencies. When we respond to suspected child abuse or any concerning behaviour we write down our observations, impressions and communications in a confidential register. This is kept separate from our other records and access will be strictly controlled. Staff involved in cases of suspected child abuse are entitled to have support. We will maintain knowledge of such individuals, agencies and organisations in the community that provide support.

Confidentiality and Information Sharing

51. We will seek advice from Oranga Tamariki and/or the NZ Police before identifying information about an allegation is shared with anyone, other than the service manager or designated person. Staff should be aware that:
 - a. Under sections 15 and 16 of the Children, Young Persons, and Their Families Act 1989 any person who believes that a child has been or is likely to be, harmed physically, emotionally or sexually or ill-treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the Police and provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.
52. When collecting personal information about individuals, it is important to be aware of the requirements of the privacy principles – i.e., the need to collect the information directly from the individual concerned and when doing so to be transparent about: the purposes for collecting the information and how it will be used; who can see the information; where it is held; what is compulsory/voluntary information; and that people have a right to request access to and correction of their information.
53. Staff may, however, disclose information under the Privacy Act/Health Information Privacy Code where there is good reason to do so – such as where there is a serious risk to individual health and safety (see privacy principle 11/Code rule 11). Disclosure about ill-treatment or neglect of a child/young person may also be made to the Police or Oranga Tamariki under sections 15 and 16 of the Children, Young Persons, and Their Families Act 1989.

Actions Undertaken When Concerned About A Vulnerable Child

54. When a disclosure of abuse or neglect is made:
 - a. **Listen to the child** - disclosures by children are often subtle and need to be handled with particular care, including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language.
 - b. **Reassure the child** - let them know they are not in trouble and they have done the right thing.
 - c. **Ask open-ended prompts** – e.g., “What happened next?.” Do not interview the child (in other words, do not ask questions beyond open prompts). Do not make promises that can't be kept, e.g., “I will keep you safe now”.
55. If the child is visibly distressed:

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

- a. Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.
- 56. If the child is in immediate danger, contact the Police immediately.
- 57. If the child is not in immediate danger:
 - a. Re-involve the child in ordinary activities and explain what you are going to do next.
 - b. As soon as possible formally record the disclosure, including:
 - i. *word for word what the child said;*
 - ii. *the date, time, location and names of any staff that may be relevant;*
 - iii. *the factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns);*
 - iv. *the action taken by your organisation; and*
 - v. *any other information that may be relevant.*
- 58. Discuss any concern with the Managing Director, or the designated person for child protection and make a decision about how to proceed. No decision should be made in isolation.
- 59. Notify Oranga Tamariki promptly if there is a belief that a child has been, or is likely to be, abused or neglected. Oranga Tamariki will make the decision to inform the parents or caregivers, in consultation with our organisation. They will also advise what, if any, immediate action may be appropriate, including referring the concern to the Police.
- 60. **Contact details:** 0508 326 459 or email contact@ot.govt.nz.
- 61. Following a referral to Oranga Tamariki - they are responsible for looking into the situation to find out what may be happening, whether our organisation needs to work with the family/whānau or put them in touch with people in their community who can help.
- 62. Following the referral work with the MD to securely store:
 - a. the record of the concern;
 - b. a record of any related discussions (including copies of correspondence, where appropriate);
 - c. a record of any advice received;
 - d. the action your organisation took, including any rationale; and
 - e. this concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident).
- 63. Where a representative of InsideOUT has identified a vulnerable child at risk of abuse or neglect, in the first instance they will share their concern with their immediate manager and/or the MD. Generally, any action taken in regard to concern for a child will be made as the result of a discussion with the MD. However, any representative of InsideOUT may take any actions they deem necessary in order to protect any identified vulnerable children.
- 64. Actions that the MD or any other representative of InsideOUT may take:
 - a. Contact the Police.
 - b. Contact Oranga Tamariki.

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

- c. Contact the vulnerable child's/children's whānau.
 - d. Contact a specialised service (for example, The Pacific Islands Safety and Prevention Project).
65. The representative of InsideOUT's responsibility to the child is not discharged until a formal acknowledgement is received from another party that they are taking responsibility for the safety of the child.
66. At all stages throughout this process, the best needs of the child will be put first, and wherever possible the child will be consulted and their wishes followed.

Representatives of InsideOUT

- 67. MD (Managing Director) of InsideOUT: at time of writing, Tabby Besley.
- 68. Anyone who represents InsideOUT to those external to the organisation. Most typically, this will be a staff member or Board member.
- 69. All representatives of InsideOUT must have passed a Police vetting check.

Definitions

- 1. Child—any child or young person aged under 17 years and who is not married or in a civil union.
- 2. Child protection—activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or are at risk of abuse or neglect.
- 3. Designated person for child protection—the Managing Director or person who is responsible for providing advice and support to staff where they have a concern about an individual child or who want advice about child protection policy.
- 4. Disclosure—information given to a staff member by a child, parent or caregiver or a third party in relation to abuse or neglect.
- 5. Oranga Tamariki—the agency responsible for investigating and responding to suspected abuse and neglect and for providing care and protection to children found to be in need.
- 6. New Zealand Police—the agency responsible for responding to situations where a child is in immediate danger and for working with Oranga Tamariki in child protection work and investigating cases of abuse or neglect where an offence may have occurred.
- 7. Physical abuse—any acts that may result in physical harm of a child or young person. It can be, but is not limited to: bruising, cutting, hitting, beating, biting, burning, causing abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness.
- 8. Sexual abuse—any acts that involve forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening. Sexual abuse can be, but is not limited to:
 - a. Contact abuse—touching breasts, genital/anal fondling, masturbation, oral sex, penetrative or non-penetrative contact with the anus or genitals, encouraging the child to perform such acts on the perpetrator or another, involvement of the child in activities for the purposes of pornography or prostitution.

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

- b. Non-contact abuse—exhibitionism, voyeurism, exposure to pornographic or sexual imagery, inappropriate photography or depictions of sexual or suggestive behaviours or comments.
- 9. Emotional abuse—any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development. This can include:
 - a. Patterns of isolation, degradation, constant criticism or negative comparison to others. Isolating, corrupting, exploiting or terrorising a child can also be emotional abuse.
 - b. Exposure to family/whānau or intimate partner violence.
- 10. Neglect—neglect is the most common form of abuse and although the effects may not be as obvious as physical abuse, it is just as serious. Neglect can be:
 - a. Physical—not providing the necessities of life like a warm place, food and clothing.
 - a. Emotional—not providing comfort, attention and love.
 - b. Neglectful supervision—leaving children without someone safe looking after them.
 - c. Medical neglect—not taking care of health needs.
 - a. Educational neglect—allowing chronic truancy, failure to enrol in education or inattention to education needs.