



COMMUNITY REFUGEE SPONSORSHIP PROGRAMME

# GUIDE TO DEVELOPING CHILD PROTECTION POLICY

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HOST INTERNATIONAL AOTEAROA



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# Developing your Child Protection Policy

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*"We must protect families, we must protect children, who have inalienable rights and should be loved, should be taken care of physically and mentally, and should not be brought into the world only to suffer."*

Indira Gandhi

## Introduction

Following conversations with potential and Approved Sponsor groups, HOST has put this guide together to provide a starting point for your organisation to develop a Child Safeguarding and Protection Policy if you don't have one in place already. This is an introductory guide only.

Your Child Safeguarding and Protection considerations should include the following:

- A **policy** outlining the parameters for decision-making on child safeguarding and child protection with some room for flexibility. Policies show the “**why**” behind an action.
- **Procedures** outlining step-by-step instructions for responding to concerns over child safeguarding and protection. Procedures explain the “**how**.” They provide step-by-step instructions for specific routine tasks. They may even include a checklist or process steps to follow.

Procedures should include processes for the following situations:

- a concern over child safeguarding or protection involving a family member;
- a concern over child safeguarding or protection involving a staff member or volunteer in your organisation.

## Policy summary

**The policy summary helps staff and volunteers immediately understand what the policy covers and highlights key points.**

- A good summary helps staff and volunteers quickly identify that the policy is the one they need. It is also useful to state who the policy applies to and that it also applies to contractors and volunteers.
- It is useful to include a statement that the policy is consistent with Oranga Tamariki, and Police guidelines and that future versions will be checked for consistency with these organisations.
- It is useful to include administrative information on the first page of the policy – who authorised the policy, who the current owner is, when it was last updated, where a digital copy can be found, when it is due for review and who is responsible for the review.

# Purpose, scope and principles

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**The policy should include a section describing its purpose, the scope of who it applies to, and the principles the organisation is committing to by adopting the policy.**

- A shared understanding of child protection is an important part of an organisation's child protection culture. The purpose, scope and principles section will provide clarity to people using the policy and emphasise the organisation's key commitments.

**Consider incorporating elements of the following statements in your purpose statement:**

- This policy fulfils our organisation's commitment to identifying and responding to child abuse and neglect and the vulnerability of children in a timely and appropriate way.
- Our organisation recognises that there is increasing awareness that abuse and neglect of children can and does happen and is determined to make a positive difference to the problem.
- This policy provides our organisation with a broad framework and expectations to protect vulnerable children, including (but not limited to) staff behaviours in response to actual suspected child abuse or neglect.
- Our policy recognises the important role and responsibility of all of our staff in the protection of children by identifying and responding to suspected child abuse or neglect and appropriately responding to concerns about the wellbeing of a child.

**The policy should also clearly outline the scope of the policy, the child protection responsibilities of all staff, and the additional responsibilities associated with certain roles. For example**

- All staff (including contractors and volunteers) have a responsibility to discuss any child protection concerns, including suspected abuse or neglect, with their manager/supervisor or the designated person for child protection.
- Managers/supervisors or the designated person for child protection have a responsibility to ensure that the appropriate authority is notified when a staff member has a belief that a child has been, or is likely to be, abused or neglected. This extends to ensuring that all known information about the child, young person and their family/whānau is shared in full with the appropriate authority, to determine the most appropriate response.
- The following principles are common to many children's services and could be a starting point for discussion:
  - Making the safety and wellbeing of children the primary concern, with the child at the centre of all decision-making.
  - Recognition of the importance of early intervention and the principle of applying the least intrusive intervention necessary to protect vulnerable children.
  - A commitment to ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response and will do so.
  - A commitment to promote a culture where staff feel confident to constructively challenge poor practice and raise issues of concern without fear of reprisal.

# Definitions

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**Including clear definitions of key terms and concepts in the policy is helpful for reducing confusion or uncertainty amongst staff, volunteers and those you work with.**

- **Abuse** – the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child.
- **Neglect** – the persistent failure to meet a child’s basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development.
- **Child** – any child or young person aged under 17 years, and who is not married or in a civil union.
- **Child protection** – activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or the risk of abuse or neglect.
- **Designated person for child protection** – the manager/supervisor or designated person responsible for providing advice and support to staff and volunteers where they have a concern about an individual child or staff member, or who want advice about the child protection policy.
- **Disclosure** – information given to a staff member by the child, parent or caregiver or third party in relation to abuse or neglect.

Organisations should also have a detailed understanding of what constitutes abuse and neglect:

- a. **Physical abuse** – any acts that may result in the physical harm of a child or young person.
- b. **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.
- c. **Emotional abuse** – any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development.
- d. **Neglect** – neglect is the most common form of abuse, and although the effects may not be as obvious as physical abuse, it is just as serious. Neglect can be physical, emotional, neglectful supervision, medical neglect or educational neglect.

## **Note the difference between Safeguarding and Child Protection:**

**Safeguarding Children** refers to a proactive approach and the steps taken to support the wellbeing and prevention of harm to all children.

**Child Protection** is a reactive approach that is part of a safeguarding process, protecting individual children identified as suffering or likely to suffer serious harm.

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## Guidance on identifying possible abuse or neglect

**Child abuse and neglect can take many forms. Your policy should contain clear guidance to staff on what indicators to look for.**

### Key information:

- Staff should feel empowered to act on suspected abuse and neglect, even when the symptoms or patterns of symptoms are subtle while avoiding adhering to stereotypes and making assumptions.
- It is normal for staff to feel uncertain. The important thing is that they recognise when something is wrong, especially if they notice a pattern or several signs that make them concerned.

**Policies should provide information on the indicators of potential abuse. These may include:**

- Physical signs (e.g. unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases).
- Developmental delays (e.g. small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- The child talking about things that indicate abuse (sometimes called an allegation or disclosure).
- Behavioural concerns (e.g. age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders, substance abuse, disengagement, neediness, aggression).
- 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).

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## Guidance on responding to suspected abuse or neglect and other concerns

Staff who have a concern about a child need to know how to respond. If this concern is about possible abuse or neglect, they need to know how to contact the statutory agencies (Oranga Tamariki Ministry for Children or the Police) to make a referral.

### Key information

Policies should clearly state expectations in regard to:

- Responding to a child in immediate danger – referral to the Police.
- Responding to a child when the child discloses abuse or when there are concerns about abuse or neglect – a phone call to the Oranga Tamariki National Contact Centre to discuss appropriate next steps.
- Responding to more general concerns about the wellbeing of a child, where referral to the statutory agencies (Oranga Tamariki or the Police) is not appropriate – e.g., referral to a family/whānau support agency in the community, such as Social Workers in Schools,
- Strengthening Families or Whānau Ora is more appropriate.

Detailed suggestions are provided below. Note: some sectors have protocols on responding to suspected abuse or neglect, for example, there is a protocol between the Ministry of Education; Oranga Tamariki Ministry for Children; and the early childhood education sector. These should continue to guide practice.

## Confidentiality and information sharing

- Sharing the right information with appropriate persons is one way an organisation can safeguard the children accessing its service. Child protection policies should contain clear guidance on confidentiality and information sharing or link to other relevant policies for this.
- Information management and confidentiality are sometimes not well understood by staff, which can result in information not being shared in situations where a risk to a child could have been addressed.

### Key information

- The Privacy Act 1993 and the Children, Young Persons, and Their Families Act 1989 (Oranga Tamariki Act) allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated.

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- Generally, advice should be sought from Oranga Tamariki and/or the Police before identifying information about an allegation is shared with anyone other than the service manager or a designated person for child protection.
- Under sections 15 and 16 of the Oranga Tamariki Act, any person who believes that a child has been, or is likely to be, harmed physically, emotionally or sexually, or ill-treated, abused, neglected or deprived may report the matter to 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.

**Staff should also understand their obligations under the Privacy Act 1993 (and for health agency staff, the Health Information Privacy Code), namely:**

- 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.
- 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). As noted above, 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 Oranga Tamariki Act 1989.

## Professional development and safe practice

Creating a culture of child protection requires that staff have the knowledge, skills and understanding necessary to work together effectively to implement the policies.

Clear policies on training and professional development in the skills of child protection are important for ensuring your organisation grows and develops in this critical area.

### Key information

Consider who needs to be proficient in child protection and to what level. For example, designated persons for child protection should have sufficient knowledge to provide guidance and expertise across the organisation. Frontline staff should have the skills necessary to recognise and respond to suspected abuse and neglect.



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- Staff and volunteers should be informed about the content of the child protection policy as part of their orientation. Skills needed to implement the policy should be included in performance management and professional development programmes.
- Many organisations provide specialist child protection skills development/learning and organisations should consider whether this would be a valuable investment in their staff.
- Expectations for staff and volunteers should promote professionalism in working with children, clearly establish roles and expectations of adult behaviour with children and encourage staff to keep their professional and personal lives separate.

**In addition to topics specifically covered in these guidelines, consider whether to include statements of expectation for staff and volunteers about:**

- Being alone with children.
- Physical contact, including comforting children in distress, and helping children to dress or use the bathroom (if a necessary part of service delivery).
- Taking children off site, to the staff member's home or transporting children in cars.
- Communicating with children, including use of telecommunications technology.
- Appropriate and inappropriate relationships with children, including over-familiarity, providing gifts, and fostering infatuation.
- The organisation's policies on safe restraint and isolation practices.
- Any other high-risk situations relevant to delivery of services by your organisation.

**Below are some examples of good child-safe practices:**

- To avoid staff and volunteers being alone with children, all staff should examine the opportunities or possible situations where staff may be alone with children. Wherever possible an open door policy for all spaces should be used (this excludes toilets). Staff should be aware of where all children are at all times.
- Visitors should be monitored at all times by staff, and volunteers and outside instructors should be monitored by staff.
- If activities require one to one physical contact (i.e., classes in swimming, gymnastics etc) parents and caregivers should be advised.
- Where a child requires assistance, e.g., if they are intellectually or physically disabled, if possible, involve the parents/caregivers and outside agencies (e.g., in the education sector, the Ministry of Education's Special Education group) to assist. If this assistance is not available, ensure staff members are aware of appropriate procedures when giving assistance.
- Staff should avoid being alone when transporting a child, unless an emergency requires it. Except in an emergency, children are not to be taken from your organisation's premises, or from the programme your organisation provides, without written parental consent.

*This policy shall be reviewed on an annual basis.*

**Approved by:**

**Effective date:**

**Review date:**

**Contact person:**



## Resources

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### **Safeguarding Children**

[Resources - Safeguarding Children](#)

[Fundamentals of Safeguarding and Child Protection e-learning module](#)

[Worried about a Child?](#)

### **Oranga Tamariki:**

[Oranga Tamariki – Ministry for Children](#)

[Child Protection Policies for Organisations](#)

### **Oranga Tamariki Act 1989:**

[Children, Young Persons and Their Families Act 1989](#)

### **Child Matters:**

[Child Matters New Zealand | Educating to protect youth](#)

### **UNICEF New Zealand:**

[Safe Childhood | UNICEF Aotearoa](#)

[UNICEF Introduction to Child Protection e-learning module](#)