

Child Protection Policy (April 2021)



Owner: Chair, Personnel Committee, Director Brendon Wilson

Policy Champion: Personnel Committee.

Version date: April 2021

Summary

TINZ values are:

- Integrity: We behave responsibly, acting honestly and ethically in everything we do
- Courage: We act in accordance with our values, even when it is hard to do
- Transparency: We are visibly open and honest
- Respect: We treat everyone with respect as we would like to be treated, acknowledging and valuing differences

Ensuring the wellbeing and safety of children, including prevention of child abuse or maltreatment, is an essential assumption in all activities of TINZ. This child protection policy applies to all staff, contractors, and volunteers and provides guidance on how to identify and respond to concerns about the wellbeing of a child, including possible abuse or neglect. Any sub-contractors involved in any overseas projects must comply with these minimum child protection standards.

The process for responding to a concern about a child is on page 5 of this policy. The interests of the child will be the paramount consideration when any action is taken in response to suspected exploitation, abuse or unacceptable behaviour towards children.

This organisation commits to the principles of statutory agencies (Oranga Tamariki and the New Zealand Police) to implement child protection policies supported by an organisational commitment to a culture of child protection that supports vulnerable children to receive the help they need quickly and appropriately.

Our Designated Person for Child Protection, CEO Julie Haggie, will be responsible for the maintenance and review of this policy, in addition to carrying out the responsibilities outlined in this policy.

Purpose and Scope

TINZ has a zero-tolerance approach to child exploitation or abuse and commits to identify and manage child protection risks at all times and ensure any suspected or alleged cases of child exploitation or abuse are reported and investigated immediately.

This policy applies to all TINZ Board members, employees, contractors, volunteers and part-time or temporary roles who come into contact with children or young people who are receiving services from TINZ. This policy will also influence *the way we work with our partners*, and with consultants and contractors where they do not have a child protection policy that meets TINZ standards. TINZ's child protection policy supports all our team to respond appropriately to potential child protection concerns, including suspected abuse or neglect.

Definitions

Bullying - is repeated and unreasonable behaviour which is directed at another person or group of people that creates a risk to their health and safety and/or has a detrimental effect on that person or group of people:

- Repeated behaviour is persistent and can involve a range of actions over time,
- Unreasonable behaviour is behaviour that a reasonable person in the same circumstances would consider to be victimising, humiliating, intimidating or threatening.

Generally, bullying will be intentional, with the aim of gaining power and dominance over another person and/or causing fear and distress to that person. However, bullying can also be unintentional, where although the bullying actions are not intended to cause fear or distress, they have (and it is reasonable to expect that they could have) this effect.

Child – any child or young person aged under 18 years old

Child abuse – any form of physical, emotional, or sexual mistreatment or lack of care that leads to injury or harm. It commonly occurs within a relationship of trust or responsibility and is an abuse of power or breach of trust. There are four main types of abuse: physical, sexual, emotional abuse and neglect.

Young people with disabilities are at increased risk of abuse through various factors such as stereotyping prejudice, discrimination, isolation, and powerlessness to protect themselves or adequately communicate that abuse had occurred.

Child exploitation – One or more of the following:

- committing or coercing another person to commit an act or acts of abuse against a child,
- possessing, controlling, producing, distributing, obtaining, or transmitting child exploitation material
- committing or coercing another person to commit an act or acts of grooming or online grooming
- using a minor for profit, labour, sexual gratification or some other personal or financial advantage

Child exploitation material – Material irrespective of form, which is classified as child abuse material or child pornography material

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.

Designated person for child protection – the manager/supervisor or designated person responsible for providing advice and support to staff where they have a concern about an individual child or who want advice about child protection policy.

Disclosure – information given to a staff member by a child, parent, or caregiver or a third party in relation to abuse or neglect.

Grooming – generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. Usually refers to when offender builds relationship of trust with a child and then seeks to sexualise that relationship (eg encouraging romantic feelings, exposing child to sexual concepts through pornography)

Harassment

Harassment is where one person directs behaviour at another TINZ person including watching, loitering, following, or accosting them, interfering with their property or acting in ways that causes them to fear for their safety. To be considered harassment, the behaviour must either be repeated, or of such a significant nature that it is humiliating, offensive or intimidating to an employee and creates a risk to their health and safety and/or has a detrimental effect on their performance at work.

Generally, harassment will be intentional, but it can also be unintentional, where although the actions are not intended to cause humiliation, offense or intimidation, they have (and it is reasonable to expect that they could have) this effect.

Examples of harassment can include:

- Preventing or hindering access to the workplace,
- Persistent following, watching, loitering near, or accosting another person,
- Giving offensive material to a TINZ person or leaving it where it will be found by, given to, or brought to their attention,
- Perpetrating and circulating persistent and malicious gossip about a TINZ person
- Interfering with a person's property

Harassment (including sexual and racial harassment) is not:

- Behaviour based on mutual attraction, including the development of relationships,
- Occasional and appropriate compliments on a person's appearance
- Appropriate performance management and feedback

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.

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. This can include contact abuse and non-contact abuse.

Emotional abuse – any act or omission that results in adverse or impaired psychological, social, intellectual, and emotional functioning or development. This can include patterns of isolation, constant criticism, corrupting, exploiting, or terrorising a child. It can also include exposure to family/whānau or intimate partner violence.

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, educational neglect.

Principles

The following principles define TINZ's commitment to child protection and the broader principles of child safeguarding:

- A commitment to the rights of the child particularly in protecting children from harm in line with national legislation and international conventions
- A shared responsibility approach to child protection across the organisation in identifying and managing child protection risks and building a child safe environment

- A commitment to review and where required improve child safeguarding capacities across the organisation.

Practice

Risk Based Approach

The policy provides for a risk-based approach in the management of child protection in TINZ's business activities. To decide if this approach needs to be taken, we ask 'does the programme, activity or grant involve potential contact with children, impact on children or working with children'. If the answer is yes, an assessment of child protection risk will be conducted.

TINZ activities generally have no impact on or contact with children, therefore minimum compliance standards will apply. However regular monitoring for any change in risk and reporting on effectiveness of the management of child protection risk will occur. Any new projects or activities undertaken by staff, sub-contractors, and any other partners will be assessed for any child protection risks. Documentation will identify any such risks and document the steps being taken to reduce or remove these risks.

Child Safe Employment Practices

Each position within TINZ will be assessed to determine whether the incumbent is likely to have contact with children or work directly with children. Position descriptions will reflect whether a role requires contact or direct work with children. Position descriptions will be reviewed periodically.

Child Safe Recruitment and Screening

TINZ will include screening measures during the recruitment process to identify persons presenting a risk to children for positions that have any direct contact with children. Screening procedures include

- Application question requesting candidates to disclose their suitability to work with children and specifically any child exploitation offences
- Child safe specific interview questions
- Child safe specific referee checks. Referee checks are done verbally for preferred candidates. This includes short and long-term positions, volunteers on placement, consultants, contractors as well as MDA positions. TINZ verifies the identity of the referee and makes direct contact with each. Written references are not accepted.
- Documented criminal record checks for relevant staff and contractors
- Specific child protection statements of responsibility in advertisements, position descriptions and terms of reference

If any person poses an unacceptable risk to children TINZ has a commitment towards preventing them from having any contact with children in their work.

Child Protection Training

We are committed to maintaining and increasing staff and contractor awareness of how to prevent, recognise and respond to abuse through appropriate training. As part of their induction, new staff and contractors are made aware of the policy on child protection.

Any downstream partners will also be asked for their CPP and asked to accept and to sign acknowledgement of our CPP if one does not exist in their organisation.

Staff, contractors, or volunteers involved in cases of suspected child abuse are entitled to have support. TINZ encourages the use of the Vitae Employee Assistance programme, our current provider in matters of wellbeing in the workplace. We will maintain knowledge of such individuals, agencies and organisations in the community that provide support.

Child Protection Incident Reporting and Investigation

TINZ commits to developing and implementing a child protection incident reporting mechanism. This requires immediate, mandatory reporting of any suspected or alleged incidents of child exploitation or abuse or non-compliance with the TINZ Policy or Code of Conduct to the responsible persons within TINZ and to donors and other respective authorities. This will typically be the CEO or Chair of the Board.

TINZ commits to thoroughly investigate allegations regarding exploitation and abuse of children based on the principles of confidentiality and procedural fairness and a commitment to the rights of the child. All incidents including suspected incidents of child abuse or neglect must be managed respectfully and sensitively while maintaining the need for individual privacy.

As specified in contractor or employee contracts, anyone covered by the scope of this policy may be suspended or transferred to other duties if subject to an investigation. Substantial allegations of child exploitation, child abuse or breaches of the Child Protection policy will be considered gross misconduct and may lead to termination of contract.

Photography, Filming and Use of Children's Images

Any portrayal of children in photographs, images or video must respect children's dignity and will not compromise their safety or wellbeing. The collection and use of images must be based on informed consent, a respect for local customs and traditions and an honest representation of the context.

Use of images or video requires the signature of a subject release form which includes a section where consent by a parent or guardian is required for children under the age of 18. TI-S Child Protection Policy (Dec 2020) policy has an example of this form.

Good Practice

All personnel including contractors, staff and volunteers should adhere to the following principles and action:

- Work in an open environment encouraging open communication
- Promote fairness, confront, and deal with bullying and treat all young people with respect and dignity
- Written consent is collected before any photographs or videos are recorded of young people participating in programmes.

When responding to possible abuse or neglect:

- Ensure the child is safe from immediate harm.
- Consult immediately with nominated person in charge. This can be the CEO, Chair of the Board or Chair of the Personnel Committee

- As soon as possible, record accurately and appropriately the information received.
- Records should be factual (not opinion or hearsay) and concise and include:
 - i. The nature of the allegation,
 - ii. Who noticed/disclosed the abuse and their relationship to the child;
 - iii. Details of any witnesses;
 - iv. Signs and symptoms noted (including behavioural change);
 - v. Any particular incidents with dates, times and places (if possible);
 - vi. Any action taken.
- Consult with others as necessary – do not work alone.
- Respect cultural considerations when attempting to understand indigenous experiences and recognise that core Māori concepts and values are important in healing situations where violence or sexual violence has been experienced by tamariki and rangatahi Māori.
- Avoid questioning the child beyond what has already been disclosed.
- Do not question or counsel the alleged offender.
- Do not investigate/presume expertise unless very experienced and qualified to do so.
- Notify Oranga Tamariki or the Police promptly. Under the Oranga Tamariki Act 1989, any person who believes that a child is being or is likely to be harmed, ill-treated, abused, neglected, or deprived may report the matter to Oranga Tamariki or to the Police.

- **Further Support and Information Employee Assistance Programme Support**

For support in relation to any sexual exploitation, bullying or harassment concerns, you may wish to contact Vitae, TINZ's Employee Assistance Programme (EAP) provider. EAP is confidential and 24/7, and employees can receive 2 face to face counselling sessions free of charge and one telephone counselling free of charge. The cost for any further sessions may be approved by the Personnel Committee.

You can contact a counsellor from the VITAE EAP programme by calling 0508 664 98, or by visiting: <https://www.vitae.co.nz>

For further guidance on this policy, please contact Julie Haggie, TINZ CEO.

This policy is subject to regular review at least every three years or earlier in accordance with changes in legislation and guidance on the protection of children and following any issues or concerns raised about child protection within TINZ.

Policy version: April 2021

Approved by the TINZ Board: April 2021

Review date: April 2022

Other standards affected and/or relevant

- Speak up Policy (September 2019)
- Health and Safety Policy (Feb 2019)
- PSEAH Policy (April 2021)
- Complaints and Concerns Policy (Draft September 2020)

- TINZ Code of Conduct
- Terms and conditions of relevant staff contract, particularly in relation to disciplinary procedures and termination