

CHILD PROTECTION POLICY

October 2023



Tōtara Springs: Child Protection Policy

A great place to grow

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Section One: Introduction

Purpose

- 1.1 Tōtara Springs Christian Centre ("Tōtara Springs") recognises its responsibility to provide a positive and safe environment for all children participating in its programmes, events, and activities, as well as for those residing on Tōtara Springs grounds, and to operate in ways which ensure that children are protected from harm.
- 1.2 The purpose of this policy is to ensure that Tōtara Springs provides a safe environment where children are free from all forms of abuse and are treated with both dignity and respect.
- 1.3 This Child Protection Policy confirms the commitment of Tōtara Springs to the protection of children and proceeds to:
 - outline the standards and principles by which staff and residents will abide
 - define child abuse
 - outline the action to be taken by staff where any form of child abuse or neglect is known or suspected
 - establish what action is required when allegations are made against staff
 - outline expected behaviour of staff and the safe working practices by which they must abide.

Guiding Principles

- 1.4 Tōtara Springs asserts that children have a right to participate in outdoor education programmes, events and activities and to do so in an environment that is safe. Tōtara Springs recognises that, when carried out in a safe environment, these activities, programmes and events provide children with positive experiences and teaches them vital skills that can last a lifetime.
- 1.5 All decisions and actions of Tōtara Springs in response to any child protection concern will be guided by the principle of *"the welfare and best interests of the child"* - *Care of Children Act 2004*
- 1.6 All services provided by Tōtara Springs for the safety and wellbeing of children adhere to the principles of partnership, protection and participation, and the rights and responsibilities accorded by Te Tiriti o Waitangi.

- 1.7 All services provided by Tōtara Springs for the safety and wellbeing of children have regard to mana tamaiti (tamariki) – the intrinsic value and inherent dignity derived from a child's whakapapa and their belonging to a whānau, hapū, and iwi; ensuring the upholding, and protection, of Māori rights and interests, in accordance with the Oranga Tamariki Act 1989.

Scope

- 1.8 This policy applies to all Tōtara Springs staff and residents.

Legislation

- 1.9 This policy has been written with the United Nations Convention on the Rights of the Child in mind and in accordance with the following legislation:

- Care of Children Act, 2004
- Children's Act, 2014
- Crimes Act, 1961
- Education Act 1989
- Employment Relations Act, 2000
- Family Violence Act 2018
- Health and Safety Act 1956
- Health and Safety at Work Act 2015
- Health and Disability Act 2000
- Health and Disability Sector Standards Regulations, 2001
- Health Information Privacy Code, 1994
- Human Rights Act, 1993
- Oranga Tamariki Act, 1989
- Privacy Act, 2020

Review

- 1.10 This policy will initially be reviewed in twelve (12) months, and a minimum of once every three (3) years thereafter. This policy will be updated regularly, to ensure it is kept up to date with changes that may have been made to legislation, related policies and procedures, and in light of operational experience.
- 1.11 The overall responsibility for this policy rests with the Tōtara Springs Chief Executive Officer.

Definitions

- 1.12 For the purposes of this Policy the following definitions apply:

"Child" means any person under the age of 18 years

"Child Abuse" can involve ongoing, repeated or persistent abuse, or may arise from a single incident. Child abuse may take many forms but it can be categorised into four different types:

- i. Physical Abuse
- ii. Sexual Abuse
- iii. Emotional Abuse
- iv. Neglect

“Child Protection Register” is a record of children who are considered to be suffering, or who are considered to be at risk of suffering, or likely to suffer, abuse or neglect. The register includes information around those child protection concerns, including but not limited to:

- A record of facts, including observations, with time and date
- What was said and by whom, using the person’s words
- What action has been taken, by whom and when
- All decisions, including if the concern does not require notifying Oranga Tamariki or the Police, with the reasons clearly identified and explained.

The Register must be kept up to date and its contents must be confidential other than to authorised enquirers. It must be held securely and separately from other records held by Tōtara Springs.

“Designated Person for Child Protection” is a person within Tōtara Springs who is responsible for the safeguarding of children. This person is responsible for ensuring that child protection is a key focus within the organisation both at a strategic level and on a day to day basis.

As at the date of this policy the Designated Person for Child Protection for Tōtara Springs is:

Chris Kinman

“Emotional Abuse” is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child’s self-esteem and 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 and their social competence undermined or eroded over time. A child can also experience emotional abuse by being exposed to a dysfunctional environment which includes seeing or hearing the ill treatment of others, including but not limited to being exposed to family violence.

“Family Violence” can take many forms and may include, but is not limited to, actual physical violence (to a person, pet or property), threats of physical violence (to a person, pet or property), psychological, economic or sexual abuse. Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

“Neglect” is characterised as the persistent failure to meet a child’s basic physical and/or psychological need. This can occur through direct and deliberate action or by omission or deliberate inaction to care for and/or protect the child. It may also include neglect of a child’s basic or emotional needs.

“Oranga Tamariki - Ministry for Children” formally known as Child Youth and Family. Oranga Tamariki is a Government Ministry dedicated to supporting children in New Zealand whose wellbeing is at significant risk of harm now, or in the future.

“Physical Abuse” is a non-accidental act 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.

“Professional Leader” refers to a person in charge of the coordination of members of a group or organisation.

“Resident” refers to a person living permanently, or continuously, on Tōtara Springs grounds or property and who is not a member of Tōtara Springs staff.

“Sexual Abuse” is an act or acts that result in the sexual exploitation of a child, whether consensual or not. Sexual abuse can be committed by a relative, a trusted friend, an associate, or someone unknown to the child. Sexual abuse includes situations where the adult seeks to have the child touch them for a sexual purpose, and where they involve the child in pornographic activities or prostitution.

“Staff” refers to any person working at, for, or on behalf of, Tōtara Springs and includes, but is not limited to, persons employed directly by Tōtara Springs irrespective of whether they are paid or voluntary, or whether they are working on a full time, part time, casual, or temporary basis, as well as any persons contracted, sub-contracted, or invited to provide services to children in the care of, or under the supervision of, Tōtara Springs. For the purposes of this policy, “staff” also includes the Tōtara Springs Company Board and Board of Trustees.

Section Two: Roles and Responsibilities

Roles and Responsibilities of Staff

- 2.1 It is the primary responsibility of Tōtara Springs staff to be vigilant, maintain professional boundaries and safe working practices, have knowledge and awareness of the indicators of neglect and abuse, whether actual or potential, and to report any concerns, suspicions or allegations to the managing director immediately. Staff have a responsibility to ensure that any concern, suspicion or allegation raised is taken seriously.

Role of the Designated Person for Child Protection

- 2.2 The overall responsibility for the implementation of this policy rests with the Tōtara Springs Chief Executive Officer, in their capacity as the Designated Person for Child Protection. The Designated Person for Child Protection is responsible for overseeing the implementation of this policy and providing advice and support for Tōtara Springs staff with protection concerns.
- 2.3 The Tōtara Springs Designated Person for Child Protection is responsible for ensuring that child protection is a key focus within Tōtara Springs and that appropriate protocols, procedures, and training are in place. They are responsible for:
- i. ensuring that the needs and rights of children come first - the safety and wellbeing of each child is the paramount consideration in all circumstances.
 - ii. receiving information that suggests potential or actual risk of harm to a child, irrespective of whether the alleged abuse is current, past or likely to occur.
 - iii. advising and supporting staff and, where appropriate, make any referrals to Oranga Tamariki or the NZ Police after consultation with the board chair if required.
 - iv. ensuring that all allegations are managed appropriately.
 - v. ensuring that there is no formal internal investigation without appropriate consultation with the board chair and a decision whether a response from Oranga Tamariki or the Police is required. There may still be a preliminary investigation to establish facts and help decide the next steps required, if any.

- vi. ensuring, and safeguarding, clear, confidential, detailed and dated records on all child protection cases. These must contain all available information relating to the cause for concern and any subsequent action taken, including when it has been decided not to make a notification to Oranga Tamariki or the NZ Police. These records will be kept separate from other Tōtara Springs records for the purpose of confidentiality.
- vii. ensuring that all staff, and residents are aware of, and have access to, full copies of the procedures for reporting child abuse.
- viii. establishing close links with the relevant local agencies to ensure clear and effective communication and be a recognised contact within Tōtara Springs for agencies to contact regarding child protection concerns.
- ix. ensuring that all staff are recruited and employed in accordance with the Tōtara Springs Child Protection Policy and that procedures are in place to identify those people safe to work with children.
- x. ensuring that all staff receive child protection training.
- xi. where concerns are raised regarding a group or organisation to which Tōtara Springs are providing services, unless contrary to the welfare and best interests of the child, consulting with the professional leader of that group or organisation.
- xii. consulting with the Tōtara Springs Ministry Development Team Leader, Company Board, or an Oranga Tamariki Duty Social Worker regarding all child protection concerns.

Role of the Company Board

- 2.4 The role of the Tōtara Springs Company Board is to:
- o ensure that the needs and rights of children come first as the safety and wellbeing of each child is the paramount consideration in all circumstances.
 - o support the Chief Executive Officer, in their capacity as the Designated Person for Child Protection, to ensure that all allegations are managed appropriately.

- ensure that no investigation occurs without appropriate consultation and a decision whether a response from Oranga Tamariki or the Police is required.
 - inform the Designated Person for Child Protection immediately should any member of the Company Board be aware of a concern for the wellbeing and safety of a child who is involved, in any capacity, with Tōtara Springs.
- 2.5 The Chair of the Company Board will be directly informed of any allegations of abuse made against the Designated Person for Child Protection.

Section Three: Child Protection Procedures

- 3.1 The procedures set out in section three of this policy provide staff, and residents, with guidelines to assist in identifying and responding appropriately to concerns of abuse and neglect, whether these concerns are their own or are the concerns of a third party, and to understand their role in keeping children safe.
- 3.2 The procedures set out below will help staff, and residents, with:
- the identification of abuse
 - handling disclosures, whether verbal or behavioural, from a child
 - reporting procedures

Identification of Abuse

- 3.3 Tōtara Springs staff should be alert and aware of the fact that child abuse can occur in many different settings and forms and child protection concerns may come to light in a variety of different way - whether that be direct/indirect disclosure, an allegation or suspicion, or the direct witnessing of abuse.
- 3.4 The signs and indicators of abuse may not be immediately obvious or identifiable. **Appendix One** of this policy sets out a non-exhaustive list of signs and indicators to help identify abuse of children.
- 3.5 If a member of Tōtara Springs staff, or a Tōtara Springs resident, is unsure about what might constitute child abuse, they should ask for advice and guidance from the Tōtara Springs Designated Person for Child Protection, or directly from Oranga Tamariki (0508 326 459).

Responding to Child Abuse/Suspected Abuse

- 3.6 Tōtara Springs staff will respond to allegations of child abuse in a manner which ensures the child's safety and wellbeing is the first and paramount consideration.
- 3.7 When child abuse is suspected, disclosed or witnessed, everything must be done to ensure the ongoing safety of the child concerned, along with the ongoing safety of any other child who is in close connection to the alleged offender. In all cases, the child is the primary concern and all other concerns (including the guilt or innocence of the alleged offender) must be secondary. This does not mean that the alleged offender is to be considered guilty without due investigation, but that the child's safety comes first.
- 3.8 In a situation where any staff member, or any Tōtara Springs resident, believes that a child is in immediate danger, the staff member or resident, in consultation with the Designated Person for Child Protection, will inform Oranga Tamariki and the Police of their concerns. Records of these Reports of Concern will be kept in a specific, secure, Child Protection File.
- 3.9 Protection procedures must be followed regardless of whether the alleged offender is a member of the public, a Tōtara Springs programme participant, a Tōtara Springs resident, or a member of Tōtara Springs staff.
- 3.10 Tōtara Springs staff will not act alone about concerns of abuse but will refer to the Tōtara Springs Child Protection Policy and consult with the Designated Person for Child Protection or an Oranga Tamariki Duty Social Worker.
- 3.11 Refer to the **"Child Protection Procedure Flowchart"** below.

Responding to Disclosures

- 3.12 Disclosures of abuse may come directly from a child. It is important that staff take what the child says seriously. This applies irrespective of the setting, or the member of staff's own opinion on what is being said. It is important that staff respond in a calm and supportive manner, giving the child time to say what they want to say, and reassuring the child that they were right to tell.
- 3.13 Staff must not enquire into details, ask leading questions, make the child repeat the story unnecessarily, or promise to keep secrets.

- 3.14 Under no circumstances should a member of staff, or Tōtara Springs residents, attempt to conduct an investigation or deal with concerns of abuse themselves.

If there is information disclosed regarding actual or suspected child abuse staff must:

- stay calm
- listen and hear
- give time to the child to say what they want
- reassure them that they were right to tell
- tell the child that they are being taken seriously and that they are not to blame
- explain that they have to pass on what the child has told them as soon as they are aware that the child is making a disclosure
- give an age-appropriate explanation to the child of what the child can expect to happen next
- record in writing what was said as soon as possible, using the child's own words where possible.
- Report the concern to the Designated Person for Child Protection.

Staff must not:

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

Harmful Behaviour By One Child Towards Another Child

- 3.15 It is important to be aware that children can harm other children. These behaviours are outside of what may be considered the normal range, and can extend to bullying, violence, or sexual assault. Therefore, when a child alleges inappropriate harmful behaviour by another child then the child protection procedures outlined in this policy must be considered for both children.

Suicidal Concerns and Self-Harming Behaviour

- 3.16 It is important to be aware that children can harm themselves or attempt suicide. When a child identifies thoughts of suicide, or self-harming behaviour, this must be taken seriously and the Designated Person for Child Protection notified. If an immediate response is required to ensure the child's safety, contact the NZ Police and the local Mental Health Crisis Team.

- 3.17 Self-harm and suicide can be distressing for both the child, and for staff. It is important that staff consider their own care and seek help and support.

Reporting Procedures

- 3.18 All Tōtara Springs staff must report concerns or allegations of child abuse to the Designated Person for Child Protection at the first possible opportunity to best ensure the safety of the child, even if the child concerned, or the alleged offender, is not involved with a Tōtara Springs programme, event or activity. If the Designated Person for Child Protection is unavailable, consultation should occur with the Ministry Development Team Leader or Operations Manager. If an immediate response is required to ensure the child's safety, Tōtara Springs staff should contact Oranga Tamariki and the NZ Police directly. After due investigation all concerns or allegations of sexual abuse must be reported to Oranga Tamariki and the NZ Police.
- 3.19 When reporting an incident staff should:
- Inform the Designated Person for Child Protection as soon as possible
 - Record in writing all conversations and actions taken and keep these records securely in a specified Child Protection File
- 3.20 Effective documentation, including referrals and notifications, must include:
- A record of facts, including observations, with times and dates
 - What was said and by whom, using the person's words
 - What action has been taken, by whom and when
- 3.21 A record of all facts, conversations, and observation, along with the actions that were taken, must be made and kept secure and confidential. All decisions, including if the concern does not require notifying Oranga Tamariki and/or the Police, must be recorded in writing and kept securely in the Child Protection File with the reasons clearly identified and explained.
- 3.22 Only those with specified child protection roles within Tōtara Springs will have access to records held within the Tōtara Springs Child Protection File.
- 3.23 Refer to the **"Record of Issue or Concern"** template at **Appendix Five** of this Policy

Reporting when Providing Services to Groups and Organisations

- 3.24 Tōtara Springs provides services to children involved in various school, Church, or organisation groups. Consultation and open communication between Tōtara Springs and the professional leader of these groups and organisations is key to keeping children safe. Prior to the commencement of these services, Tōtara Springs will make themselves aware of who the

professional leader for that group or organisation is, and will advise them of the Tōtara Springs Child Protection Policy.

- 3.25 Any concerns raised by Tōtara Springs staff will be brought to the attention of the professional leader of the group or organisation, in consultation with the Tōtara Springs Designated Person for Child Protection. A decision will be made as to whether to seek further advice or notify Oranga Tamariki.
- 3.26 The Designated Person for Child Protection will be kept informed of any decisions made and actions taken.
- 3.27 In instances where the views of Tōtara Springs regarding the need to notify Oranga Tamariki do not align with those of the group or organisation, consultation will occur with higher management of the group or organisation. A decision will then be made by the Designated Person for Child Protection as to whether to seek further advice or notify Oranga Tamariki.

Keeping the Child's Family Informed and Involved

- 3.28 Wherever possible, a child's family and whānau should participate in the decisions affecting that child and the relationship between the child and their family and whānau should be maintained and strengthened.
- 3.29 Although the parent or caregiver of the child will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen when:
- the parent or caregiver is the alleged offender
 - it is possible that the child may be intimidated into silence
 - there is a strong likelihood that evidence will be destroyed
 - the child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision. Any decision not to inform the child's family or whānau based solely on the child's wish should be made with careful consideration and in consultation with the Designated Person for Child Protection, the board chair, the police and/or an Oranga Tamariki duty social worker.
- 3.30 Where Tōtara Springs does engage with family and whānau members in circumstances where abuse is suspected, witnessed or disclosed, they must inform them of this policy and the procedures contained therein. In these circumstances Tōtara Springs must ensure that, wherever possible, they work in partnership with the family and whānau and support them throughout the process. Tōtara Springs staff must be aware of the need for sensitivity during what is likely to be a distressing time for the entire family and whānau unit.

Confidentiality and Information Sharing

- 3.31 Under the Privacy Act 2020, the giving of information to protect children is not a breach of confidentiality. Principle 11 of the Privacy Act, 2020, states sharing of personal information is allowed if "disclosure of the information is necessary to prevent or lessen a serious threat".
- 3.32 The Oranga Tamariki Act 1989 places the wellbeing and best interests of a child as the first and paramount consideration when it comes to the sharing of information. This principle takes precedence over any duty of confidentiality that is owed to the child or their family and whānau, or any person with whom the child is in a domestic relationship with.
- 3.33 Under the Oranga Tamariki Act 1989, if a member of Tōtara Springs staff, or a Tōtara Springs resident, raises a legitimate concern in good faith about suspected child abuse, which proves to be unfounded on investigation, no civil, criminal or disciplinary proceedings may be brought against that staff member, resident, or Tōtara Springs itself.

Relationships with Statutory and Specialist Agencies

- 3.34 Tōtara Springs will maintain good working relationships with agencies that have the statutory powers and skills to intervene in cases of child abuse. This includes maintaining a good working relationship with Oranga Tamariki and with the NZ Police, and being familiar with the laws that serve to protect children from abuse. Tōtara Springs will consult with Oranga Tamariki, Police, and with other appropriate agencies that have specialist knowledge to help protect children from abuse.
- 3.35 Tōtara Springs believes that in order to keep children safe, people who suspect or uncover abuse should not be tempted to deal with cases by themselves, but to report and seek help as necessary. When there is a relationship of trust and understanding with the statutory agencies, people are more likely to report and enable professional investigation to ensue.
- 3.36 Tōtara Springs will maintain relationships with NGOs and organisations that provide services to children, families and whānau throughout the country.

Section Four: Safe Recruitment and Training

- 4.1 Tōtara Springs is committed to ensuring robust recruitment processes are in place, and followed, which emphasise the importance of child protection, and which ensure that every member of Tōtara Springs staff is safe and suitable to be associated with an organisation that works directly with children.
- 4.2 Tōtara Springs recognises that the single most effective time at which an organisation can minimise the possibility of abuse to children and vulnerable adults in their care and contact, is with the appointment of staff and personnel, regardless of whether they hold voluntary or paid positions.
- 4.3 Before making any appointment, Tōtara Springs will complete a robust safety checking process to ascertain the candidate's suitability and safety to work for, or at, Tōtara Springs. This process includes, but is not limited to:
- i. Identity verification check
 - ii. Employment verification check
 - iii. Reference check
 - iv. Professional membership check (if applicable)
 - v. New Zealand Police vetting check
 - vi. Risk assessment
 - vii. Interview/s with the applicant
- 4.4 All new offers of employment and employment agreements will remain conditional on receiving satisfactory results from the safety checking. Until such time as this process has been completed, newly appointed Tōtara Springs staff working with children will be supervised in their role and will not be permitted to work alone or carry out any alternative duties.

Police Vetting

- 4.5 Police vetting of all staff and residents who undertake any work in a voluntary capacity on site, will be carried out a minimum of once every three (3) years.
- 4.6 All new offers of employment and employment agreements, regardless of whether these are for paid or voluntary, permanent, part time or casual positions, will remain conditional on receiving satisfactory results from Police vetting.
- 4.7 If the candidate, resident, has spent any time in the last five years living in another country they must supply a background check conducted in that country provided that disclosure

will not breach any of Tōtara Springs' legislative requirements, including but not limited to those obligations under the Privacy Act 2020.

4.8 Tōtara Springs will maintain a confidential Police Vetting Register. The vetting process is confidential and adverse action may not be taken against the subject of a vet without that person being given an opportunity to validate the vetting information.

4.9 Some groups and organisations, such as Primary and Secondary Schools, will have their own safety checking policies and responsibilities under the Children's Act 2014 and under the Education Act 1989. Tōtara Springs is supportive, and will assure such groups have been police vetted and trained, where required, as required by Tōtara Springs policies.

Child Protection Training

4.10 All Tōtara Springs staff will be required to be familiar with, and adhere to, the Tōtara Springs Child Protection Policy.

4.11 Tōtara Springs will ensure that all staff will be given appropriate training, covering basic awareness of child protection in order to protect children and to recognise and respond when children are at risk.

4.12 Tōtara Springs staff training on child protection will include an overview of the signs and indicators of abuse, as well as the procedure for responding to actual or suspected abuse. This training will include:

- Roles and responsibilities of staff regarding child protection
- Recognising and responding to the signs and indicators of actual or suspected abuse
- Ensuring staff receive a copy this policy, can understand it, and can follow the procedures for reporting a concern

4.13 All new staff will receive child protection training, and will be given a copy of this policy, and a copy of the Tōtara Springs **"Code of Conduct"** as part of the induction process.

4.14 All records of staff child protection training will be held in a specified Tōtara Springs staff training register, being each individual's training record.

Educating Parents and Children

4.15 Tōtara Springs believes that as well as staff training, education directed at children and parents is also an important aspect in preventing child abuse. Parents and children involved with Tōtara Springs will be made aware of the Tōtara Springs Child Protection Policy,

ensuring that those using Tōtara Springs services know, at a minimum, who to contact in the event of a child protection concern arising.

Support and Supervision

- 4.16 Tōtara Springs will take all reasonable efforts to ensure a safe and supportive environment exists for its staff.
- 4.17 Tōtara Springs recognises that dealing with child protection cases and concerns can have an impact on the wellbeing of staff. Tōtara Springs will offer appropriate support to any member of staff involved with dealing with a child abuse case or concern. This support may include, but is not limited to, counselling services and/or referring the staff member to other appropriate agencies.

Section Five: Safe Working Practices

- 5.1 This policy reinforces the need for high standards of behaviour by Tōtara Springs staff in order to protect children from abuse and at-risk situations, and to protect Tōtara Springs staff and residents from unwarranted suspicion.
- 5.2 Staff should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. Staff who work with children must act in a way that is considered to be safe practice. This includes, but is not limited to:
- o Avoiding situations where they are alone with a child;
 - o Ensuring that they are visible to others when with a child;
 - o Using an open-door policy where possible;
 - o Treating all children with respect at all times, regardless of their gender, race, religion, political beliefs, age, physical or mental health, sexual orientation, family and social background, and culture, economic status or criminal background;
 - o Avoiding circumstances where their behaviour (both verbal and physical) may be misinterpreted as hostile, suggestive, inappropriate, offensive, or neglectful.
 - o Promoting an environment where children feel safe and comfortable in the care and contact of Tōtara Springs;
 - o Not transporting a child, other than their own, alone at any time other than in an emergency situation, all such instances should be reported to the CEO in writing within 24 hours;
 - o Acting swiftly to ensure that any perceived risk to a child is immediately reported;
 - o Monitoring visitors to a Tōtara Springs programme, event or activity;

- o Not taking, or displaying, images of children unless they have consent to do so from parents and caregivers, and from the child themselves where appropriate;
- o Informing the Designated Person for Child Protection of breaches in safe working practices, regardless of whether this has resulted in the harm of a child;
- o Ensuring that all interaction and communication with children, by whatever means, is transparent and open to scrutiny;
- o Adhering to the Tōtara Springs **“Code of Behaviour”**.

5.3 Tōtara Springs will regularly review its safe working practices to ensure that they meet the needs of the ever-changing environments and situations, ensuring the safety and wellbeing of children at all times.

Physical Contact

5.4 It is imperative that in all dealings with children, a balance is struck between the rights of the child and the need for intervention. 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. Tōtara Springs staff should always use their professional judgement, observe and take note of the child's reaction or feelings and use a level of contact and/or form of communication which is acceptable to the child for the minimum amount of time necessary.

5.5 When demonstrating an activity or appropriate and safe use of Tōtara Springs equipment, staff should minimise any physical guiding and where possible demonstrate any required technique themselves. Where a child requires physical guidance, the child will be asked if that guidance is ok and all touch will be carried out for the minimum amount of time necessary.

5.6 Any sexual activity between a member of Tōtara Springs staff and a child will be regarded as a criminal offence and will always be a matter for disciplinary action.

Communication

5.7 Communication with children, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, text messaging, emails, digital cameras, videos, web-cams, websites, social networking and blogs. Tōtara Springs staff and residents should not share any personal information with a child. They should not request, or respond to, any personal information from the child other than that which might be appropriate as part of their professional role. Staff and residents should ensure that all communications are transparent and open to scrutiny.

5.8 Refer to the Tōtara Springs **“Social Media Policy”**.

Private Spaces

- 5.9 Tōtara Springs staff and residents are not permitted to enter a private space such as a toilet or bathroom while it is being used by children.
- 5.10 In the event that an adult is required to enter a changing facility that is being used by children, they must ensure that they have at least one other adult with them and that they knock, announce themselves prior to entering, and wait until permission to enter has been given.

Supervision of Children

- 5.11 All efforts are made to ensure that a child safe environment is provided by Tōtara Springs.
- 5.12 Safe working practices will be followed at all times to protect children from the risk of inappropriate behaviour from Tōtara Springs staff and any other adult, or child, present.
- 5.13 Where practical, open-door policies should be used for all spaces and no staff member should be left alone with a child.

Managing Challenging Behaviour

- 5.14 Tōtara Springs recognises that at times they may be responsible for the supervision of children who have complex needs and may present with challenging behaviours. In these circumstances, Tōtara Springs applies a positive behaviour support approach and will ensure that staff are provided with adequate, and tailored, training and support to keep themselves safe, to keep other children safe, and to best support the welfare and best interests of the individual child.
- 5.15 Refer to the Tōtara Springs ***“Behaviour Management Policy” in the Oscar Policies and Procedures.***

Compliance with the Safe Working Practices of Other Organisations

- 5.16 Tōtara Springs staff will often be required to take part in programmes, teach, and support children from other organisations, such as School and Church groups. Tōtara Springs staff must ensure that they are aware of, and comply with, the safe working practices in place for those particular organisations, as well as those outlined in the Tōtara Springs policy.
- 5.17 In the event that inconsistencies and/or conflicts arise between the child protection procedures of the organisation and those of Tōtara Springs, the child protection procedures

of Tōtara Springs will prevail. The Designated Person for Child Protection must be notified of the particular inconsistencies and/or conflicts and liaise directly with the professional leader of the organisation in question to ensure the most appropriate safe working practices are in place for the safety and wellbeing of the children involved, as well as for the protection of the Tōtara Springs staff themselves.

Holiday Camps

- 5.18 The Tōtara Springs holiday camps provide children with positive experiences and teaches them vital skills that can last a lifetime. Children participating in these camps have a right to do so in an environment that is safe.
- 5.19 Tōtara Springs holiday camps are designed to be provided without the presence of a child's parent or caregiver. Safe working practises will be followed at all times to protect children from the risk of inappropriate behaviour from staff and any other adult or child present.
- 5.20 All holiday camps will be carried out in accordance with the Tōtara Springs Child Protection Policy, including its safe working practices, recruitment processes, and Code of Behaviour.

Section Six: Allegations Against Tōtara Springs Staff

- 6.1 Concerns may be raised regarding Tōtara Springs staff. These may be as a result of behaviour within the workplace, or of behaviour within their home environment.
- 6.2 All staff have a responsibility to understand what constitutes appropriate behaviour in relation to children and to maintain this behaviour.
- 6.3 Allegations, suspicions or complaints of abuse against staff will be taken seriously and reported to the Designated Person for Child Protection. The Designated Person for Child Protection, in consultation with the Tōtara Springs Company Board, will deal with the allegation, suspicion or complaint immediately, sensitively and expediently within the procedures outlined in this policy.
- 6.4 If the allegation is against the Designated Person for Child Protection, then this must be reported directly to the Tōtara Springs Company Board Chair who will deal with the allegation within the procedures outlined in this policy.
- 6.5 Any concern of abuse of a child will follow the Child Protection Procedures outlined in this policy. In the event of a substantiated allegation of abuse by a staff member a report of concern will be made to the board chair, Police and Oranga Tamariki. It is not the responsibility of staff or residents to investigate allegations of child abuse.
- 6.6 When there are suspicions of abuse by a staff member, both the staff member's and the child's rights are to be attended to. This means that the safety of the child is of first concern, and that the staff member must have access to legal and professional advice, in accordance with the Employment Relations Act.
- 6.7 The Designated Person for Child Protection must immediately assess risk before allowing the staff member in question to have any contact with the person making the allegation. A risk assessment must be undertaken to determine what level of access that person should have, if any, to members of the public in their capacity as an employee of Tōtara Springs.
- 6.8 In all child protection cases, Tōtara Springs will cooperate fully with both Oranga Tamariki and the Police in their investigations and assessments.
- 6.9 If the Police decide to undertake a criminal investigation, then the member of staff may be suspended. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal or Oranga Tamariki investigation.

- 6.10 If there is insufficient evidence to pursue a criminal prosecution, then an internal disciplinary investigation may still be undertaken subject to internal disciplinary procedures. In these circumstances the Designated Person for Child Protection, the Tōtara Springs Company Board, or delegated person, will inform the complainant of the process to be followed, what information will be taken into consideration and when the internal investigation is likely to be complete.
- 6.11 A staff member tendering his or her resignation, or ceasing to provide their services to Tōtara Springs, will not prevent an allegation of abuse against a child being followed up in accordance with these procedures.

Appendix One: Indicators of Abuse

The indicators for child abuse and neglect fall into three general categories:

- **Physical indicators:** Injuries to a child that are severe, occur in a pattern or occur frequently. These injuries range from bruises to broken bones to burns or unusual lacerations and are often unexplained or inconsistent with the explanation given
- **Behavioural indicators:** The child's actions, attitudes, and emotions can indicate the possibility of abuse or neglect. Behavioural indicators alone are much less reliable than physical indicators, as a child's behaviour may be the result of a variety of other problems or conditions. When observing changes in behaviour, look for the frequency and pattern of the new behaviour, as well as a child's age and stage of development. For example, it is normal for younger children to be wary of adults, as they may have been taught not to talk to strangers. Look for a combination of physical and behavioural indicators.
- **Caregiver indicators:** Caregivers who abuse, neglect or exploit children are either unable or unwilling to provide care and protection in an appropriate way. Those who are unable to provide care and protection may be physically unable due to their own medical or health condition. They may be overly stressed, tired, or working under the influence of drugs or alcohol which limits their abilities. Caregivers who are unwilling to provide children with the appropriate level of care and protection are more aware that what they are doing is wrong but continue to act in that way. These caregivers may not view the child as someone who has feelings and emotions and often have the need to control others or have displaced aggression towards weaker persons.

The indicators alone do not prove child abuse or neglect. Likewise, the absence of indicators does not exclude the possibility that abuse is occurring. If you have any concerns about the wellbeing of a child, seek advice from your Designated Person for Child Protection or directly from Oranga Tamariki.

- **Emotional Abuse Indicators**
 - Physical Indicators
 - Bed wetting or bed soiling with no medical cause
 - Frequent psychosomatic complaints (e.g. headaches, nausea, abdominal pains)
 - Non-organic failure to thrive
 - Pale, emaciated
 - Prolonged vomiting and/or diarrhoea
 - Malnutrition
 - Dressed differently to other children in the family
 - Behavioural Indicators:
 - Severe developmental lags with obvious physical cause
 - Depression, anxiety, withdrawal or aggression
 - Self-destructive behaviour. This can include self-harm, attempted suicide, alcohol and drug abuse
 - Overly compliant
 - Extreme attention seeking behaviours or extreme inhibition
 - Running away from home, avoiding attending at school
 - Nightmares, poor sleeping patterns
 - Anti-social behaviours
 - Lack of self esteem
 - Obsessive behaviours
 - Eating disorders
 - Caregiver Indicators:
 - Labels the child as inferior or publicly humiliates the child (e.g. name calling)

- Treats the child differently from siblings or peers in ways that suggest dislike for the child
- Actively refuses to help the child
- Constantly threatens the child with physical harm or death
- Locks the child in a closet or room for extended periods of time
- Teaches or reinforces criminal behaviour
- Withholds physical and verbal affection
- Keeps the child at home in role of servant or surrogate parent
- Has unrealistic expectations of child
- Involves child in adult issues such as separation or disputes over child's care
- Exposes child to situations of arguing and violence in the home

- **Neglect Indicators**

- Physical Indicators:
 - Dressed inappropriately for the season or the weather
 - Often extremely dirty and unwashed
 - Severe nappy rash or other persistent skin disorders
 - Inadequately supervised or left unattended frequently or for long periods
 - May be left in the care of an inappropriate adult
 - Does not receive adequate medical or dental care
 - Malnourished - this can be both underweight and overweight
 - Lacks adequate shelter
 - Non-organic failure to thrive

- Behavioural Indicators:
 - Severe developmental lags without an obvious physical cause
 - Lack of attachment to parents/caregivers
 - Indiscriminate attachment to other adults
 - Poor school attendance and performance
 - Demanding of affection and attention
 - Engages in risk taking behaviour such as drug and alcohol abuse
 - May steal food
 - Poor social skills
 - No understanding of basic hygiene

- Caregiver Indicators:
 - Puts own need ahead of child's
 - Fails to provide child's basic needs
 - Demonstrates little or no interest in child's life - does not attend school activities, social events
 - Leaves the child alone or inappropriately supervised
 - Drug and alcohol use
 - Depression

- **Physical Abuse Indicators**

- Physical Indicators:
 - Bruises, welts, cuts and abrasions
 - Burns - small circular burns, immersion burns, rope burns etc
 - Fractures and dislocations - skull, facial bones, spinal fractures etc
 - Multiple fractures at different stages of healing
 - Fractures in very young children

- Behavioural Indicators:
 - Inconsistent or vague explanations regarding injuries

- Wary of adults or a particular person
 - Vacant stare or frozen watchfulness
 - Cringing or flinching if touched unexpectedly
 - May be extremely compliant and eager to please
 - Dresses inappropriately to hide bruising or injuries
 - Runs away from home or is afraid to go home
 - May regress (e.g. bedwetting)
 - May indicate general sadness
 - Could have vision or hearing delay
 - Is violent to other children or animals
- Caregiver Indicators:
 - Inconsistent or vague explanations regarding injuries
 - May appear unconcerned about child's wellbeing
 - May state the child is prone to injuries or lies about how they occur
 - Delays in seeking medical attention
 - May take the child to multiple medical appointments and seek medical treatment without an obvious need

- **Sexual Abuse Indicators**

- Physical Indicators:
 - Unusual or excessive itching or pain in the genital or anal area
 - Torn, stained or bloody underclothing
 - Bruises, lacerations, redness, swelling or bleeding in genital, vaginal or anal area
 - Blood in urine or stools
 - Sexually transmitted infections
 - Pregnancy
 - Discomfort in sitting or fidgeting as unable to sit comfortably
- Behavioural Indicators:
 - Age-inappropriate sexual play or language
 - Bizarre, sophisticated or unusual sexual knowledge
 - Refuses to go home, or to a specific person's home, for no apparent reason
 - Fear of a certain person
 - Depression, anxiety, withdrawal or aggression
 - Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
 - Overly compliant
 - Extreme attention seeking behaviours or extreme inhibition
 - Dresses inappropriately to hide bruising or injuries
 - Eating disorders
 - Compulsive behaviours
- Caregiver Indicators:
 - May be unusually over-protective of the child
 - Accuses the child of being sexually provocative
 - Misuses alcohol or drugs
 - Invades the child's privacy (e.g. during dressing, in the bathroom)
 - May favour the victim over other children
 - Seems overly keen on getting involved in children's work.

- **Family Violence Indicators**

- Indicators in the Child:
 - Physical injuries consistent with the indicators of Physical Abuse
 - Absenteeism from school

- Bullying or aggressive behaviour
 - Complaints of headaches or stomach aches with no apparent medical reason
 - Talking about or describing violent behaviours
- Indicators in the Victim:
 - Physical Injuries including: bruising to chest and abdomen, injuries during pregnancy
 - Depression and/or anxiety
 - Inconsistent explanations for injuries
 - Fearful
 - Submissive
 - Indicators in the Offender:
 - Isolates and controls partner and children
 - Threatens, criticises, intimidates, uses aggressive and physical abuse towards partner and children
 - Minimises and denies own behaviour, or blames victim for the offenders own behaviour

Appendix Two

Child Protection Overview - Responding to Abuse:

Abuse is "... the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person" - Section 2, Oranga Tamariki Act 1989

Child abuse can involve ongoing, repeated or persistent abuse, or it may arise from a single incident. Child Abuse may take many forms but it can be categorised into four different types:

- Physical Abuse
- Sexual Abuse
- Emotional Abuse
- Neglect

Child abuse can occur in many different settings and forms and may come to light in a variety of different ways. These can include, but are not limited to:

- Direct or indirect disclosure by the child or someone known to the child;
- Suspicions of abuse by those involved with the child;
- Allegations and/or direct observations or signs displayed in the child's physical or emotional behaviour;
- Direct witnessing of abuse.

When disclosures of abuse come directly from a child, it is important that you take what the child says seriously. This applies irrespective of the setting, or your own opinion on what is being said. When a child tells you what has been happening to them, or when you witness or suspect child abuse, it is important that you, as the adult, remain calm and confident.

- RESPOND:** Respond to the person (adult or child) – Believe what they tell you and/or what you see.
- SAFETY:** Ensure the safety of the child. Always take action in the short term to ensure the immediate safety of the child. This will mean contacting Oranga Tamariki (**0508 326 459**) or the Police (**111**) if you think there is an immediate risk to the child.
- RECORD:** Record immediately all initial statements, observations and concerns to avoid misinterpretations or confusion at a later date.
- CONSULT:** Do not make decisions alone. Consult with your Child Protection Policy and your Designated Person for Child Protection. Oranga Tamariki is always available to give advice.
- REPORT:** Decide to act on your concerns. If you have told the person you believe is responsible for taking action and they do not act, take further action yourself.
- SUPPORT:** Seek support for yourself. Responding to a child protection issue can be stressful.

Think "what if I'm right?" Not "what if I'm wrong?"

Appendix Three

Safe Working Practices - Agreement:

As a member of Tōtara Springs staff, and/or as a Tōtara Springs resident, I **WILL**:

- Ensure that I am fully aware of, and adhere to, the Tōtara Springs Child Protection Policy and Code of Behaviour.
- Treat all children with respect at all times, regardless of their gender, race, religion, political beliefs, age, physical or mental health, sexual orientation, family and social background, and culture, economic status or criminal background.
- Promote an environment where children feel safe and comfortable in my care and contact.
- Act professionally and maintain appropriate boundaries at all times.
- Avoid circumstances where my behaviour (both verbal and physical) may be misinterpreted as hostile, suggestive, inappropriate, offensive, suggestive or neglectful.
- Where practicable, ensure that a minimum of two adults are present when with a child. If it is not possible to have another adult present, I will ensure that I always operate an “open door” policy and that I am visible to others.
- Act swiftly to ensure that any perceived risk to a child is immediately reported in consultation with the Tōtara Springs Designated Person for Child Protection.
- Inform the Designated Person for Child Protection of breaches in safe working practices, regardless of whether this has resulted in the harm of a child.
- Not engage in any unwarranted or inappropriate touching of a child. I will only engage in touch if it can be done in a safe manner and while visible to other adults.
- Not transport a child alone in my vehicle, unless in an emergency situation.
- Ensure that all communications with children, by whatever methods, are transparent and open to scrutiny.

I certify that I have read, understood, and will comply with, the Tōtara Springs Child Protection Policy and Code of Conduct:

Name: _____

Signature: _____ Date: _____

Appendix Three Contact List

Your Designated Person for Child Protection Is:

Werner du Plessis 027 396 3387

Your Company Board's Contact Details Are:

Phil Caffyn 021 606 670

Ministry for Children - Oranga Tamariki

0508 326 0459

New Zealand Police

111

Child Matters

(07) 838 3370

Appendix Five

Record of Issue or Concern:

RECORD OF ISSUE OR CONCERN

Any person associated with Tōtara Springs who suspects the abuse or neglect of a child, or to whom a concern has been disclosed, must complete this form. It is a tool to assist with recording factual observations in accordance with the Tōtara Springs Child Protection Policy.

Child's Name:		DOB <i>(if known)</i> :
Date:		Time:
Name of Parent/s/Guardian/s <i>(if known)</i> : Contact Details <i>(if known)</i> :		
Name of Organisation <i>(if applicable)</i> :		
Issue or Concern		
<p>Issue or Concern:</p> <ul style="list-style-type: none"> - <i>What is the concern for this child?</i> - <i>What has prompted you to complete the Record of Issue or Concern?</i> <p>NOTE: <i>This is a record of the facts. Remember to record:</i></p> <ul style="list-style-type: none"> • <i>observations</i> • <i>times and dates</i> • <i>what was said, and by whom – Use the persons own words if possible</i> <hr style="width: 30%; margin-left: auto; margin-right: auto;"/>		

Additional Information:

- *Is there any additional information that needs to be disclosed or which may be helpful for Tōtara Springs or statutory authorities to know?*

NOTE: *At times incidents viewed in isolation may not be cause for concern however, when viewed in relation to other incidents these can form a larger picture of concern. This is why any additional information is helpful.*

Action:

- *What action has been taken?*
- *Have statutory authorities been consulted? If so, record those details.*
- *Has the Tōtara Springs Designated Person for Child Protection been consulted? If so, record those details*
- *Why was this action taken/Not taken? (Clearly identify and explain the reasons)*
- *By whom was this action taken, and when?*

<p>Follow Up:</p> <ul style="list-style-type: none"> - Next steps - Is a follow up required? If yes, by whom and when? <p style="text-align: center;">_____</p>	
Signed:	Date:
Full Name:	
Position:	
Contact Details:	

Please give this form to one of the following:
The Tōtara Springs Designated Person for Child Protection,
Ministry Development Team Leader, Company Board

(Designated Person for Child Protection/Ministry Development Team Leader/Company Board to complete)
 I, (Full name and position)..... confirm that the above record of issue or concern has been brought to my attention and consultation with the person making the record of issue or concern, and named above, has taken place. The record of issue or concern will be held securely and confidentially and the processes and procedures followed as outlined in the Tōtara Springs Child Protection Policy.

Signed

Dated

Contact Details (Phone/Email)

Appendix Six

Holiday Camp Complaint Form

Tōtara Springs strives to delight our customers and provide safe, high quality Holiday' Camp programmes for children. We endeavour to cater to individual needs and we value different cultures and ethnicities. If you are unsatisfied with any aspect of our Holiday' Camp, please fill out the information below so that we can address the situation.

Complainant details:

Name and Surname: _____

Address: _____

Contact Phone: _____ (home) _____ (work) _____ (mobile)

Nature of the complaint: (Please describe in detail who or what the complaint is about.)

Please hand the complaint form to the Holiday' Camp Coordinator or into the office. Your complaint will be treated in confidence; however, the matter will need to be discussed with parties involved to resolve the matter. If the Ministry Development Team Leader, in conjunction with the Chief Executive Officer, cannot resolve your complaint, you will be contacted by Tōtara Springs to discuss the situation further. If the complaint has still not been resolved, steps will be taken until all parties are satisfied.

Signed by the complainant: _____ **Date:** _____

Actions taken as a result of the complaint:

The parents have been notified (please tick the relevant box):

Yes No

★ To be signed by the following once the complaint has been resolved.

Signed by the complainant: _____ Date: _____

Signed by the Ministry Development Team Leader: _____ Date: _____

Signed by the Chief Executive Officer: _____ Date: _____