

CHILD PROTECTION POLICY

PURPOSE

Male Survivors Tairāwhiti ('MST') Child Protection Policy (the 'Policy') provides guidelines for MST trustees, employees, contractors, consultants, advisors and volunteers ('MST people') to create safe environments for children and young persons who are, or are suspected of, being abused.

The Policy reflects MST's commitment to the spirit and intention of the relevant New Zealand legislation (Section 6 of the Children and Young Persons Act 1989 and the Vulnerable Children Act 2014) which states "...welfare and interests of a child or young person is paramount...", "...the welfare and interests of the child or young person shall be the first and paramount consideration...".

The Policy honours this commitment by requiring MST people to make an appropriate response to any suspected or known concerns of abuse of a child or young person and to ensure that the response always prioritises the safety of that child or young person.

SCOPE

This Policy applies to all MSW people and in particular trustees and their advisors in respect of their governance role where that involves the implementation of any national policies or protocols that may affect the ability of MST people to ensure the safety of children and young persons.

The Policy is intended to provide a useful framework for addressing issues relating to the abuse of children and young persons including MST people to respond appropriately to situations where they know or suspect that a child or young person is or has been the subject of abuse.

OBJECTIVES

Applying this Policy will:

- Ensure the safety of children and young persons is given paramount consideration;
- Ensure any known or suspected abuse of a child or young person is dealt with in an appropriate manner;
- Provide clear guidance for responding (management and reporting) of any abuse of a child or young person;
- Minimise the risk of allegations against MSW people relating to the abuse of children or young persons; and
- Ensure that MSW people are supported by MST in their actions to protect children or young persons at risk of abuse

DEFINITIONS

Advisor	Means any individual or organisation that is engaged (remunerated or voluntary) to provide advisory or consultancy services to MST or any individual working for these organisations in a capacity that has potential to affect MST people ability to ensure the safety of children and young people.
Child	Means a boy or girl under the age of 14 years
Child abuse¹	Means the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect or deprivation of any child or young person.
Designated Person	(DP) Please refer to the definition in this Policy (see below)
Emotional abuse	Is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child's emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may also include age or developmentally inappropriate expectations being imposed on children. It also includes the seeing or hearing the ill treatment of others.
Neglect	Means the persistent failure to meet a child or young person's basic physical and/or psychological need, causing long-term serious harm to the child's health or development. It may also include neglect of a child's basic or emotional needs. Neglect is a lack: of action, emotion or basic needs and may include physical (not providing the necessities of life, like a warm place, food and clothing); emotional (not providing comfort, attention and love) neglectful supervision (leaving children without someone safe looking after them); medical neglect (not taking care of health needs); and educational neglect (allowing chronic truancy, not enrolling the child in education or not paying attention to their education needs).
MST people	Means an individual engaged as a trustee, employee, contractor, consultant, advisor or volunteer by MST to provide support services to male survivors of sexual abuse
Physical abuse	Is a non-accidental act on a child that results in physical harm. This includes, but is not limited to, beating, hitting, shaking, burning, drowning, suffocating, biting, poisoning or otherwise causing physical harm to a child. Physical abuse also involves the fabrication or inducing of illness.

¹ Abuse is defined under Section 2 of the CYP Act 1989

Sexual abuse	Involves forcing or enticing a child or young person to take part in sexual activities (penetrative and non-penetrative, for example, rape, kissing touching breasts, genital/anal fondling, masturbation, oral sex, object or finger penetration of the anus or vagina, encouraging the child or young person to perform such acts on the perpetrator) as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviours and involvement of the child or young person in activities for the purpose of pornography or prostitution.
Young Person	Means a boy or girl of or over the age of 14 years but under 17 years; but does not include any person who is or has been married or in a civil union
Trustee	Means a trustee of MST

DESIGNATED PERSON

The Designated Person² ('DP') is the person within MST who is the 'champion' of this Policy and has responsibility for ensuring child protection is a key focus, and that appropriate protocols and practices, including training, are in place.

The key responsibilities of this role include:

- Being a source of advice and support for MST people who may have child protection concerns
- Ensuring this Policy is reviewed regularly, and that MST people are well informed
- Ensuring MST people have received child protection training, and that this is recorded
- Ensuring practices and procedures within the organisation have a child protection lens applied
- Overseeing the maintenance and confidentiality of child protection records and documentation.

CORE ELEMENTS

The Policy has eight core elements' that together reflect MST 's commitment to assuring the safety of children and young people;

- > **Identifying potential abuse or neglect;**
- > **Responding to the child or young person;**
- > **Reporting abuse or neglect**
- > **Confidentiality and information sharing;**

² The DP for this Policy is the Manager of MST or in his absence the Chair of MST or his nominee

- > Safe recruitment;
- > Safe working practices;
- > Educating for safety; and
- > Supporting safe practice.

1. Identifying potential abuse or neglect

MST people should know the signs of potential abuse and neglect.

Each situation is different and MST people must look at all the available information about a child or young person and their environment before deciding what they need to do.

MST people seeking more information on identifying abuse and neglect should consult the following publications for guidance:

- The [CYF guide 'Working Together'](#) (downloadable PDF) published by Child Youth & Family
- [How Can I Tell?](#) – (Print publication –\$2.00) published by Child Matters

2. Responding to the child or young person

MST people are required to make an appropriate response to any suspected or known concerns of abuse of a child or young person and to ensure that the response always prioritises the safety of that child or young person.

Where a child or young person discloses the incidence of abuse, an appropriate response will depend on the circumstances but may include:

- Providing reassurance that they are doing the right thing;
- Listening carefully to what they say;
- Obtaining as much detailed and specific information as possible, but not interviewing.
- Accurately recording observations and statements made;
- Recording your concerns in the Incident Register, including date and time of disclosure;
- Reassuring them they will get help; and
- Reporting the incident as appropriate (refer 3. Below)

3. Reporting child abuse and neglect

Reports to Police or Child, Youth and Family Services of concerns regarding child abuse made in good faith, will not result in repercussions for the informant³

³ Section's 15 and 16 of the Children and Young Persons Act 1989

If you know or suspect that a child or young person is in immediate danger, MST people must call the Police on 111.

If you suspect that a child or young person may not be safe you should call 0508 FAMILY (0508 326 459)

If you are worried about a child or young person, but you do not consider them to be in immediate danger, you should discuss your concerns with the DP before deciding what to do.

When reporting any known or suspected incidence of abuse of a child or young person, MST people should provide the following information:

- Their concerns and suspicions;
- The reasons why they believe there is risk or abuse occurring;
- Their opinion as to the urgency in dealing with the concerns; and
- Indicate that this is a formal notification of actual or suspected child abuse.

Where MST people are required to report on the abuse of a child or young person they will be provided with appropriate support by MST and the DP, including access to supervision as required.

4. Confidentiality and information sharing

Ensuring the privacy and confidentiality of client records is essential to provide an effective and trusted peer-support service⁴. Accordingly, disclosure of any client information to a third party is strictly prohibited unless:

- The client has made a request in writing to provide the information to a third party; or
- The information requested is required for clinical reasons and the client has approved the disclosure.

However, all MST people must act within the legal requirements of the Privacy Act, Children, Young Person's and their Families Act, Health information Act and other statutes. There are provisions within each of these acts for sharing information needed to protect children and young people and enable other people to carry out their legitimate functions. For example, MST people may be asked to provide information to Child, Youth and Family, the Police, Court or Lawyers and Psychologists.

In general, MST people will not share any information if they believe that by doing so this will endanger the child or young person.

Where MST people are required to share information about a child or young person they must:

- Ensure that the request for information is lawful;

⁴ Refer to MST Code of Ethics – Principles and Core Values: 4. Confidentiality and Privacy

- Restrict the information shared by providing only the required information to those who need to know;
- Only provide the information after they have identified the person making the request, the actual purpose of the request, what use the information will be put to, and who will see the information; and
- If practicable, refer to the Privacy Officer⁵ for clearance before providing the information.

5. Safe recruitment

All MST people working with children or young people, both employed and voluntary, must be appropriately safety checked (screened and vetted).

All MST people working with children or young people must be safety checked every three years. For new appointments the initial safety screening must be completed before the person is engaged.

For appointments that existed at the time this policy was introduced, the initial safety check must be completed before June 30, 2017⁶.

All candidates for appointment to roles within MST will be treated with respect, fairness and warmth and volunteers will be reassured that they will be treated the same as employees.

The safety checking process should verify the candidate's identity and gather sufficient information about them (through application forms, interviews, reference checks and the use of external checks including the Police vetting service) to assess the risks that the candidate is safe to work with children or young people in the role they occupy or are applying for. The records of completed safety checks must be retained for audit purposes.

For more detailed information on safe recruitment refer to [Safer Recruitment, Safer Children](#) – (Downloadable PDF) published by the Ministry of Education and Child Matters

6. Safe working practices

All MST people working with children or young people must comply with the MST Code of Ethics, which they are expected to have a clear understanding of.

This code requires MST people to:

- Maintain a high level of ethical understanding and practice; and
- Promote an environment in which the human rights, values, customs and spiritual beliefs of children and young people and their family/Whanau and community are respected and upheld.

⁵ The Privacy Officer for MST is the Manager.

⁶ Section 25 Vulnerable Children's Act 2014

Acting ethically will require MST people to:

- Maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others and report and record any incident with this potential;
- Carefully consider and plan their interactions with children and young people to ensure that their communications (mode, manner, setting, timing etc.) do not risk misinterpretation of their support activity;
- Take care with the sharing of any information with third parties to ensure appropriate levels of confidentiality and to protect the interests of the child or young person;
- Acknowledge their responsibility to make an appropriate response to matters of concern, including recording and (as appropriate) reporting the concern;
- Refrain from entering into any relationships with a child, young person or their family/Whanau that could:
 - o Constitute a conflict of interest;
 - o Place MST people in a position of compromise; or
 - o Breach the spirit, intent or requirements of this Policy
- Inform the DP or their manager of any potential situations of possible compromise or conflicts of interest that arise as part of their work with children and young people or their family/Whanau.

MST people should be fully aware of their 'duty of care', which precludes developing a sexual relationship with or grooming of a child. A sexual relationship between an adult and a child will always be wrong, unequal and unacceptable.

If any MST people know or suspect that any other MST people are, or may be, involved in the abuse or neglect of any child or young person, there is an obligation to report that knowledge or suspicion to the DP or the Chair of MST, where reporting to the DP may not be possible, practicable or appropriate.

7. Educating for safety

All MST people who are working with children and/or young people are to be appropriately trained to identify and respond appropriately to incidents of abuse or neglect.

Induction processes for new MST people, trustees and advisors (who are engaged in matters that may affect MST people's ability to protect children or young people) must ensure familiarity with this Policy, identify, and plan the delivery of, further training needs.

All reviews, updates and changes to this Policy must be communicated to all MST people in a manner that ensures they remain familiar with their obligations for the safety of children and young people.

MST people should have access to education and training programmes that:

- Ensures their familiarity with this Policy;
- Enable them to identify when children or young people are at risk;

- Enable them to offer appropriate assistance and support to the child or young person;
- Help them to make an appropriate response to incidents involving abuse or neglect, including taking action and reporting;
- Assist them to deal with suspected or known abuse or neglect by a peer-worker, trustee or advisor;
- Record their engagement with the education and training programme.

MST people are required to attend a refresher child protection refresher education programme every three years or at any time when there is a substantial change to the legal requirements and/or this Policy.

8. Supporting safe practice

MST is committed to encouraging and supporting the safe practices of MST people through the following:

- Ensuring that this Policy is implemented, maintained, understood and observed by all MST people;
- Educating and training MST people in the application of this Policy and in safe practices;
- Encouraging and supporting MST people to activate this Policy by:
 - Ensuring that there is a capable DP for them to reference as required;
 - Ensuring that MST people who report abuse or neglect have access to appropriate supervision as required; and
 - Ensuring that MST people who are required to deal with issues relating to abuse or neglect are fully supported in their actions by MST.