

Child Protection Policy

Purpose

The Independent Children's Monitor (the Monitor) recognises that at any time, including during their monitoring activities, an employee may have reason to be concerned about the wellbeing or safety of a child. The purpose of this policy is to outline how the Monitor will respond to:

- suspected neglect or abuse of a child
- disclosure of abuse or neglect made by a child.

Scope

This policy applies to all employees and contractors working for the Monitor.

Key principles

- The Monitor will place the safety and wellbeing of children at the centre of all decision-making.
- The Monitor will ensure that all employees are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action.

Responsibilities

Managers are responsible for ensuring their employees understand and adhere to this policy. This includes any contractors.

Training and support

The Monitor will:

- support employees to understand and follow this policy
- provide training to employees at the start of their employment that enables them to demonstrate an understanding of:
 - the principles and processes in this policy
 - how to identify and report abuse or neglect
- encourage employees to access the Employee Assistance Program (EAP) if/as required to maintain their wellbeing.

Publication and review

This policy will be published on the Monitor website

This policy will be reviewed every three years, or if there is a specific change to either legislation or the Monitors policy. This will be completed by the practice lead/s in consultation with managers and their staff.

Defining child abuse and neglect ¹

Child/children:

For the purpose of this policy, any child/children under the age of 18 years who are not married or in a civil union.

Child abuse:

Child abuse is defined in the Oranga Tamariki Act 1989 as “the harming (whether physically, emotionally, or sexually), ill-treatment, abuse, neglect or deprivation of any child or young person.”

Disclosure:

Information given to employees by the child in relation to abuse or neglect

Emotional abuse:

Emotional abuse occurs when a child or young person’s emotional, psychological or social well-being and sense of worth is continually battered.

It can include a pattern of criticising, rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may result from exposure to family violence or involvement in illegal or anti-social activities.

Emotional abuse is almost always present when other forms of abuse occur.

The effects of this form of abuse are not always immediate or visible. The long-lasting effects of emotional abuse may only become evident as a child becomes older and begins to show difficult or disturbing behaviours or symptoms.

Neglect:

Neglect is a pattern of behaviour that occurs over a period and results in impaired functioning or development of a child or young person. It is the failure to provide for a child’s basic needs.

Neglect may be:

- physical – failure to provide necessary basic needs of food, shelter or warmth
- medical – failure to seek, obtain or follow through with medical care for the child or young person
- abandonment – leaving a child or young person in any situation without arranging necessary care for them and with no intention of returning
- neglectful supervision – failure to provide developmentally appropriate or legally required supervision
- refusal to assume parental responsibility – unwillingness or inability to provide appropriate care for a child or young person.

¹ Definitions have been sourced from the [Child Matters](#) Website

Physical abuse:

Physical abuse can be caused from punching, beating, kicking, shaking, biting, burning or throwing a child. Physical abuse may also result from excessive or inappropriate discipline or violence within the family and is considered abuse regardless of whether it was intended to hurt the child. Physical abuse may be the result of a single episode or of a series of episodes.

Injuries to a child may vary in severity and range from minor bruising, burns, welts or bite marks, major fractures of the long bones or skull to its most extreme form, the death of a child.

Sexual abuse:

Sexual abuse includes acts or behaviours where an adult, older or more powerful person uses a child or young person for a sexual purpose.

While it may involve a stranger, most sexual abuse is perpetrated by someone the child knows and trusts.

It includes any touching for sexual purpose, fondling of breasts, buttocks, genitals, oral sex, sexual intercourse, or an adult exposing themselves to the child or young person or seeking to have a child touch them for a sexual purpose. It also includes voyeurism, photographing children or young people inappropriately, involving a child or young person in pornographic activities or prostitution, or using the internet and phone to initiate sexual conversations with children or young people.

Indicators of abuse or neglect²

The indicators of potential abuse or neglect may be physical or behavioural.

- Physical indicators relate to a child's physical condition, including bruises or burns
- Behavioural indicators include a child cringing or flinching if touched unexpectedly, or a caregiver constantly calling a child 'stupid' or 'dumb' and can be displayed by the child or by the alleged abuser.
- A child talking about things that indicate abuse (an allegation or disclosure).

In many cases, indicators are found in combinations or clusters. Indicators do not necessarily prove that a child has been harmed. They are clues that alert us that abuse may have occurred and that a child may require help or protection. Sometimes, indicators can result from life events that do not involve abuse, for example divorce, accidental injury or the arrival of a new sibling.

² Indicators have been sourced from the [Child Matters](#) website

Reporting abuse and neglect

The Monitor has reporting obligations under both the Oranga Tamariki Act 1989 and the National Care Standards and Related Matters Regulations 2018.

Section 15, Oranga Tamariki Act 1989: Any person who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected, or deprived may report the matter to the chief executive or a constable.

Regulation 83 (1), National Care Standards and Related Matters Regulations 2018: If, in the course of performing its functions as an independent monitor, the independent monitor becomes aware of any non-compliance with the regulations that places a child or young person in care or custody at immediate risk of suffering, or being likely to suffer, serious harm, the independent monitor must report the non-compliance to the chief executive or an approved organisation as a matter of urgency.

It must be noted that the requirement in Regulation 83 is independent of, and does not limit, reporting and referral provisions in the Oranga Tamariki Act 1989.

If an employee believes a child is at risk of serious harm they must:

- contact the Police if the child is in immediate danger
- notify Oranga Tamariki via the National Contact Centre if abuse or neglect is suspected.

In addition to the above, a manager must also advise the relevant Chief Executive or their delegate at Oranga Tamariki or the Approved Organisation, if they believe a child or young person is at serious risk during the monitoring activities.

For further information on identifying and reporting serious concerns see: [Oranga Tamariki - Working Together Guide](#).

Responding when a child or young person discloses abuse

1. Listen to the child	Disclosures by children are often subtle and need to be handled with particular care, including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language.
2. Reassure the child	Let the child know that they are not in trouble, and that they have done the right thing. <ul style="list-style-type: none">• If the child is visibly distressed, provide appropriate reassurance.• Do not ask questions beyond open prompts for the child to continue. Do not make promises that can't be kept, e.g. "I will keep you safe now".
3. If the child is not in immediate danger	<ul style="list-style-type: none">• Re-involve the child in the planned activities and explain what you are going to do next.
4. If the child is in immediate danger	<ul style="list-style-type: none">• Contact the Police immediately.• As soon as possible formally record the disclosure.<ul style="list-style-type: none">- Record word-for-word what the child said.- Record the date, time and who was present.- Any other information that may be relevant.

When a child discloses, or staff are concerned that a child may be subject to, abuse or neglect, it is important that any information is recorded accurately and promptly.

Recording and notifying Oranga Tamariki of suspected child abuse or neglect

1. Recording	<p>Formally record in writing or on a voice recording device:</p> <ul style="list-style-type: none"> • anything said by the child • the date, time, location and the names of anyone that may be relevant • the factual concerns or observations that have led to the suspicion of abuse or neglect (e.g. any physical, behavioural or developmental concerns) • any action taken at the time by the Monitor • any other information that may be relevant.
2. Decision-making	<ul style="list-style-type: none"> • Discuss your concern with your practice lead and/or your manager.
3. Notifying Oranga Tamariki and/or an Approved Organisation	<p>Notify the Oranga Tamariki National Contact Centre promptly if there is a belief that a child has been or is likely to be abused or neglected.</p> <p>Phone: 0508 Family (0508 326 459)</p> <p><i>And</i>, if the concern arose during monitoring Oranga Tamariki and/or an Approved Agency, discuss with your manager who will contact the relevant relationship manager/manager as a matter of urgency and advise of the concern and any action taken.</p>
4. Storing relevant information	<p>The following information must be recorded and stored securely:</p> <ul style="list-style-type: none"> • the record of the concern • a record of any related discussions, (including copies of correspondence, where appropriate) • a record of any advice received • the action taken by the relevant organisation/s including any rationale.