

# **Oranga Tamariki—Ministry for Children**

## **Child Protection Policy**

**November 2020  
Oranga Tamariki—Ministry for Children**

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## Section 1: Policy Summary

This policy sets out the responsibilities and organisational commitment of Oranga Tamariki to child protection. It outlines the expectations of how staff will respond to situations where serious harm, abuse, deprivation, ill-treatment or neglect are suspected or identified or when safety and wellbeing concerns for tamariki are identified.

### Definitions

**Tamariki (Tamaiti singular)** Refers to children and young people under the age of 18 years.

**Staff** All persons employed or engaged by Oranga Tamariki—the Ministry for Children (Oranga Tamariki) in paid positions.

### Purpose statement

This policy expresses our commitment to:

- protect the safety and promote the wellbeing of all tamariki
- assist staff to respond appropriately when they:
  - suspect that a tamaiti has been, or is likely to be, seriously harmed, abused, deprived, ill-treated, or neglected
  - have concerns about the wellbeing of a tamaiti.

### Policy scope

This policy applies to all staff and all tamariki who staff encounter and must be applied wherever serious harm, abuse, deprivation, ill-treatment or neglect (serious harm) are suspected or identified or when safety and wellbeing concerns for tamariki are identified.

### Policy principles

- All tamariki have a right to be protected from all forms of serious harm.
- The protection of tamariki is an Oranga Tamariki priority and we have an organisational and individual responsibility to act to protect the safety and promote the wellbeing of all tamariki.
- The best interests of tamariki are at the centre of our decision-making.

### Organisational commitment to child protection

Our leadership team will ensure that:

- there is an organisation-wide policy for the appropriate response to, and management of, reports of suspected or confirmed serious harm of tamariki
- the Child Protection Policy and procedures comply with legislative requirements, the principles of the Treaty of Waitangi, and the Oranga Tamariki practice standards
- organisation-wide procedures exist to provide appropriate, adequate support for staff that may witness or be dealing with serious harm of tamariki
- Oranga Tamariki commits to using safe recruitment procedures, including compliance with any requirements of the Vulnerable Children Act 2014<sup>1</sup>.

Oranga Tamariki will take steps to achieve the following objectives:

- All staff are conversant with our Child Protection Policy and related procedures.

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<https://www.orangatamariki.govt.nz/assets/Uploads/Safer-Recruitment-Safer-Children.pdf>

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- All staff have a base level understanding of the indicators of serious harm and know how to seek advice when serious harm is suspected or identified.
- All staff know how they must respond when serious harm of tamariki is suspected or identified.
- All staff receive access to training, resource material, and periodic updates appropriate to their areas of work and role in the organisation.
- All staff engage in lawful and effective information-sharing and consistent communication with other agencies as the foundation for sound decision-making to keep tamariki safe and to improve their wellbeing.
- All staff are supported to protect, promote and build effective relationships with community organisations and other government agencies to ensure the needs of all tamariki are responded to.

### **Review**

This policy will be reviewed 12 months from the date of signing, and every three years thereafter or as required.

## Section 2: Our responsibilities and expectations

Under this Child Protection Policy, **all staff** are required to:

- be aware of and adhere to the Child Protection Policy and its principles and processes
- understand what to do when serious harm is suspected or identified or when safety and wellbeing concerns for tamariki are identified
- complete the online *ChildSafe* module to establish a base level understanding of the indicators of serious harm
- seek advice and, where appropriate, make a report of concern (using the procedures detailed in this policy) if they are concerned that any tamaiti has been, or is likely to be, seriously harmed.

In situations where a tamaiti is believed to be in current or imminent danger, you must immediately contact the Police on 111.

In addition, **frontline practitioners** directly working with tamariki and their families/whānau will adhere to practice policies that guide their work and take steps to make sure they:

- recognise and respond to all forms of serious harm and escalate new concerns as required
- consider potential indicators of serious harm for tamariki they are not directly working with but come into contact with (for example, siblings)
- recognise other forms of maltreatment that can result in cumulative harm, including emotional violence (for example, humiliation, degradation), limitations on parenting capability (for example, parental anxiety and depression undermining a parent's ability to care), and the impact of witnessing family violence
- act on concerns for the wellbeing of tamariki that do not require a report of concern, but require referral for support or services from other Ministries and/or referral to community social service agencies. If the level of risk or concern is uncertain, supervision is required to form an appropriate response
- access available child protection information and training, appropriate to their role.

While there are different aspects to serious harm – abuse, deprivation, ill-treatment, and neglect - the important thing to think about is the overall wellbeing or risk of serious harm to the tamaiti.

There will be situations where concerns are identified for tamariki that do not require the involvement of statutory agencies, for example, situations where the concerns are not related to serious harm and where families/whānau are actively seeking help. In those situations, frontline staff are encouraged to help families/whānau to access support or services from other Ministries and/or community social service agencies.

More detailed definitions of care and protection concerns, potential indicators of serious harm, and processes for responding to serious harm are detailed in sections 3 to 5 below.

When a staff member has made a report of concern, they should discuss with their manager how to ensure that the services that they are responsible for providing can continue for that person and/or their family/whānau without interfering with the investigation or causing a conflict of interest.

Staff will not discuss the case with anyone that is not connected directly with the investigation.

### **Making a report of concern - information sharing in good faith**

The Oranga Tamariki Act 1989 and the Privacy Act 2020 allow us to share information to keep tamariki safe when serious harm or suspected harm is reported or investigated.

Under sections 15 and 16 of the Oranga Tamariki Act 1989, any person who believes that a tamaiti has been, or is likely to be, seriously harmed, abused (whether physically, emotionally or sexually), deprived, ill-treated or neglected may report the matter to the Chief Executive or a constable (Oranga Tamariki or the

Police) and, providing the report is made in good faith, no civil, criminal, or disciplinary proceedings may be brought against them.

## Support for staff

In order to support staff to implement this policy, procedural advice and resource material has been developed and forms a part of this policy. Support for staff is also available through their managers, team leaders, and supervisors, and from staff in roles across Oranga Tamariki with child protection knowledge and skills. Staff can make contact with the Oranga Tamariki National Contact Centre on 0508 326 459, if they wish to discuss concerns about a specific tamaiti.

An online *ChildSafe* training module has been developed that all staff are required to complete.

Practice guidance is available on the Practice Centre <https://practice.orangatamariki.govt.nz>

Additional information and training material is available via the Knowledge Centre <http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/hr/hr-policies/child-protection-policy/index.html>

## Manager's Role

Managers are responsible for endeavouring to ensure that their staff:

- have read and understand this policy<sup>2</sup>
- have completed the *ChildSafe* training as part of their three-month induction package
- know how to access the Practice Centre and Knowledge Centre as required<sup>3</sup>, and
- adhere to this policy.

Managers must support their staff through their training and to implement this policy and ensure that extra support for staff is accessed if required.

Managers must also support staff through conversations about concerns for tamariki and assist in the decision-making about the appropriate response. If in doubt, contact the National Contact Centre to have a conversation - 0508 326 459.

Roles and responsibilities in relation to this Child Protection Policy are further described in section 6 below.

## Allegations involving staff

If a staff member is alleged to have seriously harmed a tamaiti (in their professional or personal capacity, regardless of whether or not the child is a client of Oranga Tamariki), they must tell their manager (as soon as practicable). This includes involvement in family violence.

When a social worker undertaking a care and protection investigation or assessment becomes aware that there is an allegation that relates to a staff member, they must advise their site manager. The site manager will need to make contact with the staff member's manager to ensure they are fully aware of the investigation or assessment.

If this occurs and the staff member has not previously raised this issue with their manager, the manager will raise it with them.

As soon as a manager becomes aware of an allegation of abuse that relates to a staff member, the manager must contact the Human Resources team.

### Managers must:

- maintain the staff member's confidentiality

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<sup>2</sup> The link to the Oranga Tamariki policy will need to be added here once approved

<sup>3</sup> Knowledge Centre on protecting children <http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/hr/hr-policies/child-protection-policy/index.html>

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- following consultation with Human Resources, advise the staff member that this may initiate an employment investigation
- consider how this impacts on the staff member continuing to perform their current functions
- consider what support the staff member may require
- ensure that the staff member is assisted to access EAP if required
- ensure that PSA and NUPE members are aware that support is available through their union.

### **Protected disclosure**

This policy requires staff to report suspected or identified serious harm. If a staff member believes that another staff member is involved in 'serious wrongdoing', in their professional or personal capacity, regardless of whether or not the child is a client of Oranga Tamariki, they can make a protected disclosure in accordance with the Protected Disclosures Act 2000. For guidance, see the Oranga Tamariki Te Pae page <https://mvcot.ssi.govt.nz/documents/support-at-work/corporate-policies-and-guidance/protected-disclosures-whistle-blowing-policy.pdf>

Additional information about responding when the allegations relate to an Oranga Tamariki staff member is detailed in Appendix 1.

## Section 3: Defining care and protection concerns

### Considering serious harm and the wellbeing of tamariki

Section 14 of the Oranga Tamariki Act 1989 has a broad definition of what it means for a tamaiti to be in need of care and protection. In addition to serious harm, it includes serious differences between the tamaiti and their parents, guardians or carers, as well as the behaviour of the tamaiti themselves, including offending behaviour. A common link between these circumstances is that they are, or are likely to be, harmful to the wellbeing of the tamaiti.

While there are different aspects to serious harm – abuse, deprivation, ill-treatment, and neglect - the impact or potential impact on the tamaiti must be the key consideration, not simply the suspected or reported behaviour itself. When considering the wellbeing of the tamaiti, consider their safety, security, development, and the impact of the harm on the physical, psychological, emotional and cultural wellbeing of the tamaiti.

Concerns about the level of actual or potential severity of harm to the tamaiti will be a determining factor for Oranga Tamariki and Police in considering whether action should be taken. Serious harm can differ for each tamaiti dependent on the behaviour and actions causing concern, the context they occur in, and the characteristics of the individual tamaiti. It can be a result of what someone else does, or does not do, to, or for, the tamaiti. Serious harm may also be the result of the behaviour and actions of the tamaiti themselves.

Section 14 does not require serious harm to have occurred for the tamaiti to be in need of care and protection. The likelihood of serious harm is adequate to warrant intervention.

### What is serious harm

Serious harm includes abuse (whether physically, emotionally or sexually), deprivation, ill-treatment, or neglect of any tamaiti.

All **frontline practitioners** will know what constitutes serious harm under the categories of physical abuse, sexual abuse, emotional abuse and neglect.

Indicators are signs or symptoms that point to possible abuse. In many cases, indicators are found in combinations or clusters. Detailed information on the potential indicators for each abuse category is included in section 4.

#### 1. Physical abuse

Physical abuse can be any act that may result in physical harm to a tamaiti. 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.

#### 2. Sexual abuse

Sexual abuse can be any act that involves forcing or enticing a tamaiti to take part in sexual activities, whether or not a tamaiti is aware of what is happening. Sexual abuse can be, but is not limited to:

- contact abuse: touching breasts, genital/anal fondling, masturbation, oral sex, penetrative or non-penetrative contact with the anus or genitals, encouraging a tamaiti to perform such acts on the perpetrator or another, involvement of a tamaiti in activities for the purposes of pornography or prostitution
- non-contact abuse: exhibitionism, voyeurism, exposure to pornographic or sexual imagery, inappropriate photography or depictions of sexual or suggestive behaviours or comments.

#### 3. Emotional abuse

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Emotional abuse can be any act or omission that results in adverse or impaired psychological, social, intellectual, and emotional functioning or development. This can include:

- patterns of isolation, degradation, constant criticism, or negative comparison to others
- deprivation of contact with people significant to the tamaiti
- corrupting, exploiting, or terrorising a tamaiti
- denying access to cultural, faith, or other associations that sustain the sense of normality, identity, and self-esteem for the tamaiti
- exposure to family/whānau violence or intimate partner violence.

### 4. Neglect

Neglect can be:

- physical (not providing the necessities of life such as adequate shelter, food and clothing)
- emotional (not providing comfort, attention and love)
- neglectful supervision (leaving tamariki without someone safe looking after them)
- medical neglect (not taking care of health needs)
- educational neglect (allowing truancy, failure to enrol in education, or inattention to education needs).

Neglect is the most common form of serious harm and although the effects may not be as obvious as physical abuse, the impact on the tamaiti is often just as serious.

## Family Violence

Given the link between family violence, intimate partner violence, and child abuse, it is also important to understand these terms.

**Family violence** covers a broad range of controlling behaviours, commonly of a physical, sexual and/or psychological nature that typically involve fear, intimidation, or emotional deprivation. It occurs within a variety of close interpersonal relationships, such as between partners, parents and tamariki, siblings, and in other relationships where significant others are not part of the physical household but are part of the family/whānau or are fulfilling the function of family/whānau.

Common forms of violence in families/whānau include:

- spouse/partner abuse (violence among adult partners)
- child abuse/neglect (abuse/neglect of tamariki)
- elder abuse/neglect (abuse/neglect of older people aged approximately 65 years and over, by a person with whom they have a relationship of trust)
- parental abuse (violence perpetrated by a tamaiti against their parent)
- sibling abuse (violence among siblings).

**Intimate partner violence** is a subset of family violence. Intimate partner violence includes physical violence, sexual violence, psychological/emotional abuse, economic abuse, intimidation, harassment, damage to property, and threats of physical or sexual abuse towards an intimate partner.

## Section 4: Potential indicators of serious harm

Indicators are signs or symptoms that, when found on their own or in various combinations, point to possible abuse, family violence, or neglect. In many cases, indicators are found in combinations or clusters.

**Indicators do not necessarily prove or mean that a tamaiti has been harmed.** Indicators are clues that alert us that serious harm may have occurred and that a tamaiti may require help or protection. However, they are not conclusive evidence of serious harm and may have other explanations, for example, an accidental injury. There may be instances of serious harm where there are no obvious indicators.

It is the responsibility of Oranga Tamariki and the Police to conduct an assessment or investigation, as appropriate, to determine whether a tamaiti has been, or is likely to be, seriously harmed. Oranga Tamariki frontline practitioners should be aware of, and able to identify, the potential indicators.

### Clusters of signs

If you're concerned about a tamaiti, it's not so important to be able to categorise the type of serious harm you think may be going on, it's normal to feel uncertain. However, if you notice a pattern forming or several signs that worry you, this could be an indication something is wrong.

All types of serious harm tend to involve some form of emotional abuse. For example, a child who is physically assaulted will likely also suffer emotionally from the adult's behaviour and will probably also experience neglect.

Harm is often cumulative. A child's sense of safety, stability, and wellbeing is often reduced by a series or pattern of harmful events and experiences. These may be interrelated, and maltreatment may recur over prolonged periods. The daily impact on the child can be profound and exponential.

A cluster of signs may include any number of the indicators outlined below.

### Physical abuse

#### Physical indicators (often unexplained or inconsistent with explanation given):

- bruises and welts
- cuts and abrasions
- burns
- fractures and dislocations, particularly in very young tamariki
- multiple fractures at different stages of healing.

#### Behavioural indicators:

The tamaiti:

- gives inconsistent or vague explanations regarding injuries
- is wary of adults or a particular person
- has a vacant stare or frozen watchfulness
- cringes or flinches 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 (for example, bedwetting)
- may indicate general sadness
- could have vision or hearing delay

- is violent to other tamariki or animals.

**Caregiver indicators:**

The caregiver:

- gives inconsistent or vague explanations regarding injuries
- may appear unconcerned about the wellbeing of the tamaiti
- may state the tamaiti is prone to injuries or lies about how they occur
- delays in seeking medical attention
- may take the tamaiti to multiple medical appointments and seek medical treatment without an obvious need.

**Sexual abuse**

**Physical indicators:**

The tamaiti has:

- unusual or excessive itching or pain in the genital or anal area
- stained or bloody underclothing
- bruises or bleeding in the genital or anal area
- blood in urine or stools
- sexually transmitted infections
- a pregnancy
- urinary tract infections
- discomfort in sitting or fidgeting as unable to sit comfortably.

**Behavioural indicators:**

The tamaiti:

- displays age-inappropriate sexual play or language
- displays sophisticated or unusual sexual knowledge
- refuses to go home (or to a specific person's home) for no apparent reason
- has a fear of a certain person
- has depression or anxiety
- has withdrawal or aggression
- has self-destructive behaviour
- is overly compliant and eager to please
- displays extreme attention seeking behaviours or extreme inhibition
- dresses inappropriately to hide bruising or injuries, or in a non-age appropriate or provocative manner
- has eating disorders
- has compulsive behaviours
- has a vacant stare or frozen watchfulness
- cringes or flinches if touched unexpectedly
- runs away from home or is afraid to go home
- may regress (for example, bedwetting)
- may indicate general sadness.

**Caregiver indicators:**

The caregiver:

- may be unusually overprotective of the tamaiti
- accuses the tamaiti of being sexually provocative
- misuses alcohol or drugs

- invades privacy (for example, interrupting a tamaiti while they are dressing or in the bathroom)
- may favour the tamaiti over other tamariki.

## **Emotional abuse**

### **Physical indicators:**

The tamaiti:

- soils or wets the bed with no medical cause
- have frequent psychosomatic complaints (for example, headaches and nausea)
- be pale and emaciated
- have prolonged vomiting or diarrhoea
- have malnutrition
- dresses differently to other tamariki in the family/whānau.

### **Behavioural indicators:**

The tamaiti:

- has severe developmental lags without an obvious physical cause
- has depression or anxiety
- has withdrawal or aggression
- has self-destructive behaviour
- is overly compliant and eager to please
- displays extreme attention seeking behaviours or extreme inhibition
- runs away from home or avoids attendance at school
- has poor sleeping patterns
- displays anti-social behaviours
- has a lack of self esteem
- displays obsessive behaviours
- has an eating disorder.

### **Caregiver indicators:**

The caregiver:

- labels the tamaiti as inferior or publicly humiliates the tamaiti (for example, name calling)
- treats the tamaiti differently from siblings or peers in ways that suggests dislike
- actively refuses to help the tamaiti
- threatens the tamaiti with physical harm or death
- locks the tamaiti in a closet or room for extended periods of time
- teaches or reinforces criminal behaviour
- withholds physical and verbal affection
- keeps the tamaiti at home in the role of servant or surrogate parent
- has unrealistic expectations of the tamaiti
- involves the tamaiti in adult issues such as separation or disputes
- exposes the tamaiti to situations of arguing and violence in the home.

## **Neglect**

### **Physical indicators:**

The tamaiti:

- dresses inappropriately for the season or the weather
- is often extremely dirty and unwashed
- has severe nappy rash or other persistent skin disorders

- is 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 underweight or overweight)
- lacks adequate shelter.

**Behavioural indicators:**

The tamaiti:

- has severe developmental lags without an obvious physical cause
- displays a lack of attachment to parents or caregivers
- displays indiscriminate attachment to other adults
- has poor school attendance and performance
- is demanding of affection and attention
- engages in risk taking behaviour such as drug and alcohol abuse
- has poor social skills
- has no understanding of basic hygiene.

**Caregiver indicators:**

The caregiver:

- puts their own needs ahead of the needs of the tamaiti
- fails to provide the basic needs of the tamaiti
- demonstrates little or no interest in the life of the tamaiti
- leaves the tamaiti alone or inappropriately supervised
- abuses drugs and/or alcohol
- is depressed.

**Intimate partner violence**

Tamariki may also be negatively impacted by adult intimate partner violence, which includes physical and/or sexual violence, threats to harm people, pets or property, and causes family/whānau members to live in fear. Where there is intimate partner violence, tamariki are affected, either emotionally or physically, even if they are not personally injured or physically present.

**Indicators of a tamaiti exposed to an environment where intimate partner violence occurs:**

The tamaiti:

- has physical injuries consistent with the indicators of physical abuse
- is frequently absent from school
- displays bullying or aggressive behaviour
- complains of headaches or stomach aches with no apparent medical reason
- talks about or describes violent behaviours.

**Indicators in the intimate partner victim:**

The victim of intimate partner violence:

- has physical injuries including bruising to chest and abdomen, scratches, black eyes, and broken bones
- has depression and/or anxiety
- gives inconsistent explanations for injuries
- is fearful and submissive.

**Indicators in the perpetrator of intimate partner violence:**

The perpetrator of intimate partner violence:

- isolates and controls their partner and their tamariki
- threatens and uses aggressive and physical abuse towards their partner, tamariki, and pets
- minimises and denies own behaviour
- blames the victim for their own behaviour.

### **Some things to think about**

Every situation is different, so it's important to consider the whole life and environment of the tamaiti. Sometimes these signs could be the result of life events, such as divorce, accidental injury, the arrival of a new sibling and so on.

If you are ever concerned, ask yourself the following questions:

What is going on in the life of the family or the tamaiti that could be affecting them?

Is the behaviour of the tamaiti a sign of serious harm, or are there other things going on in the family. For example, a parent is depressed or the family has been evicted from their home and doesn't have anywhere else to go.

How is the tamaiti behaving?

Tamariki can't easily describe what they are feeling, so their emotions often come out in their behaviour. If the tamaiti seems unusually difficult or withdrawn, aggressive or anxious, this may be a sign something is not right at home.

How is the tamaiti developing?

If the tamaiti is suffering from serious harm, this may affect their development in a number of areas. Concerns about developmental delay should be assessed by the appropriate professionals, so the tamaiti can get the right help.

Has the tamaiti or the family hinted at, or said, something is wrong?

The tamaiti may be looking for ways to tell you something is wrong, so listen and watch them carefully and take what they say seriously.

Are there signs of family violence?

People experiencing family violence may seem fearful or nervous, lack confidence, and feel sad or angry a lot.

Do I sense the family is struggling, or the tamaiti is at risk in some way?

Tamariki need to be protected from family violence, so need the help of adults around them. You might have a feeling that things aren't right, but there are no actual signs of serious harm, and you can't quite put your finger on the problem. Talking with the family or your colleagues may put your mind at rest, or give you a steer on what's happening. If you're worried, contact the Contact Centre on 0508 326 459, or DDI 43000 and seek professional advice.

## Section 5: Responding to serious harm

### Making a Report of Concern

Call the National Contact Centre on 0508 326 459, or DDI 43000, if you:

- think a tamaiti may be unsafe or in danger of serious harm
- think a tamaiti may be suffering from abuse, deprivation, ill-treatment, or neglect and want some advice
- are not sure whether you need to be concerned, and want to talk things through.

What process to follow	For example	Key considerations
Recording	<p>Formally record:</p> <ul style="list-style-type: none"> <li>• anything said by the tamaiti</li> <li>• the date, time, location</li> <li>• names of any people that may be relevant</li> <li>• the factual concerns or observations that have led to the suspicion of abuse or neglect (for example, any physical, behavioural, or developmental concerns)</li> <li>• the action you have taken</li> <li>• any other information that may be relevant.</li> </ul>	Relevant information which may inform any future actions.
Decision-making	Discuss any concerns with your manager and/or a staff member identified as having child protection expertise.	No decisions should be made in isolation.
Notifying authorities	<p>Notify promptly if there is a belief that a tamaiti has been, or is likely to be, seriously harmed.</p> <p>A phone call to the National Contact Centre is the preferred initial contact as this enables both parties to discuss the nature of the concerns and appropriate response options.</p> <p>Phone: 0508 326 459 (DDI 43000)</p> <p>Fax: 09 914 1211</p> <p>email:contact@ot.govt.nz</p> <p><b>Note:</b> Partnering for Outcomes staff must, in addition to making a report of concern, advise their local Social Service Accreditation Assessor along with their own manager. This could be done via email</p>	<p>Oranga Tamariki will:</p> <ul style="list-style-type: none"> <li>▪ make the decision whether to inform the parents or caregivers</li> <li>▪ advise what, if any, immediate action may be appropriate, including referring the concern to the Police.</li> </ul>

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	or a conversation supported by an email.	
Following the advice of Oranga Tamariki intake social workers.	The intake social worker's advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police.	Oranga Tamariki sites are responsible for determining whether an investigation or assessment is necessary or desirable. They will decide whether they need to work with the family/whānau or put them in touch with people in their community who can help.
Storing relevant information	Securely store: <ul style="list-style-type: none"> <li>• the record of the concern</li> <li>• a record of any related discussions (including copies of correspondence, where appropriate)</li> <li>• a record of any advice received</li> <li>• the action you took (include any rationale such as what made you make the report of concern now if the notification is based on an accumulation of concerns rather than a specific incident).</li> </ul>	Records assist in identifying patterns.

### Dealing with a disclosure of serious harm

The basic principles of dealing with a disclosure of serious harm are:

<b>Respond to the person</b>	Take what they tell you and what you see seriously – refer 'Responding to tamariki who make a disclosure of serious harm.'
<b>Record</b>	Record all initial statements, observations, and concerns immediately to avoid misinterpretations or confusion at a later date. Record any decisions made and actions taken.
<b>Consult</b>	Do not make decisions alone. Consult with your manager and make contact with someone with child protection knowledge, for example local site duty social workers or the National Contact Centre.  Refer to this Child Protection Policy.
<b>Ensure the safety of the tamaiti</b>	Always take action in the short term to ensure the immediate safety of the tamaiti. If there is current or imminent risk, call Police on 111. If in doubt, contact the Ministry National Contact Centre 0508 326 459 (DDI 43000).
<b>Report</b>	Decide to act on your concerns. Do not leave it to someone else or hope it will not happen again. Report your concerns to the National Contact Centre on 0508 326 459 (DDI 43000).

<b>Get support</b>	Get support for yourself. There is support available through the Employee Assistance Programme and your immediate manager.
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## Responding to tamariki who make a disclosure of serious harm

Where a disclosure is received directly from the tamaiti, the following steps should be taken:

Listen to the tamaiti	Disclosures by tamariki are often subtle and need to be handled with particular care, including an awareness of cultural identity and how that affects interpretation of their behaviour and language.
Reassure the tamaiti	Let the tamaiti know that they are not in trouble and have done the right thing.
Seek only essential information	<p>Do not interrogate or quiz the tamaiti –limit your discussion to finding out generally what took place. Stop gathering information once you have sufficient information and reason to believe that abuse and/or neglect has occurred.</p> <p>If you need to clarify what is being said and whether the child is at risk, ask open questions (what, when, who, how, where, do you want to tell me anything else?) but only to the point of clarification being achieved.</p> <ul style="list-style-type: none"> <li>• Never ask leading questions.</li> <li>• Never push for information or make assumptions.</li> </ul> <p>Do not make promises that can't be kept, e.g. "I will keep you safe now".</p> <p>Remember it is not your job to determine if serious harm has occurred. Your role is to find out what happened so you can get the right help.</p>
If the tamaiti is in immediate danger	<p>Contact the Police immediately via 111.</p> <p>Or, if urgent medical attention is required, call an ambulance via 111.</p>
If the tamaiti is not in immediate danger	Re-involve the tamaiti in ordinary activities and explain what you are going to do next.
If the tamaiti is visibly distressed	<p>Assess their wellbeing to establish if medical intervention is required.</p> <p>Provide appropriate reassurance and re-engage them in appropriate activities under supervision until they are able to participate in ordinary activities.</p>
As soon as possible, formally record the disclosure	<p>Record:</p> <ul style="list-style-type: none"> <li>• what the tamaiti said, word for word</li> <li>• the date, time and who was present.</li> </ul>

## Section 6: Roles and responsibilities in relation to the Child Protection Policy

Role	Responsibilities
<p>DCE responsible for Oranga Tamariki meeting its obligations under the Vulnerable Children Act 2014 – Chief Social Worker/DCE Professional Practice</p>	<p>The Chief Social Worker/DCE Professional Practice is the designated person for child protection within Oranga Tamariki and is responsible for the escalation of any issues requiring strategic leadership attention and providing support and advice to managers in relation to application and interpretation of the policy.</p> <p>The Chief Social Worker/DCE Professional Practice must be satisfied that Oranga Tamariki is meeting its obligations under section 16 of the Vulnerable Children Act 2014 including:</p> <ul style="list-style-type: none"> <li>• approval, implementation, and promotion of the Child Protection Policy (responsibility for components of the policy are distributed through Oranga Tamariki as noted below)</li> <li>• reviewing and updating the Child Protection Policy within 3 years. Reviews will be completed by an across-organisation working party</li> <li>• contracts with providers of children’s services (as defined in the Vulnerable Children Act 2014) include a requirement for the provider to have a child protection policy</li> <li>• meeting the annual reporting requirement.</li> </ul>
<p>Managers</p>	<p>Managers will ensure staff they are responsible for:</p> <ul style="list-style-type: none"> <li>• understand and adhere to this policy</li> <li>• are aware of the principles and processes in this policy</li> <li>• understand how to identify and report serious harm of tamariki (trained on induction).</li> </ul> <p>If responsible for contracted or approved services, assess and ensure service providers understand the requirement for, and have in place, a child protection policy.</p> <p>Escalate concerns to the Chief Social Worker/DCE Professional Practice about the application or interpretation of the policy.</p>

IN-CONFIDENCE

<p>All Oranga Tamariki staff</p>	<p>Understand and adhere to the Child Protection Policy.</p> <p>Be aware of the principles and processes in this policy.</p> <p>Understand how to identify and report serious harm of tamariki (trained on induction).</p> <p>Advocate for tamariki by raising concerns when worried about harm or the risk of harm.</p>
<p>Human Resources</p>	<p>Initiate training reviews and awareness campaigns to ensure the policy remains alive and talked about as required. This will be initiated on behalf of the policy owner, the Chief Social Worker/DCE Professional Practice, and will be done by an across-organisation working party.</p> <p>Work with the managers of employees who have had allegations of abuse of a tamaiti made against them. If an employment investigation is required, Human Resources will advise the appropriate steps and continue to provide advice and assistance to the employee's manager until the matter is brought to a conclusion.</p>
<p>Organisational Governance</p>	<p>Collates information for annual report in relation to the implementation of this policy.</p>

## **Appendix 1: Responding when the allegations relate to a staff member**

### **Standards of integrity and conduct (Standards of Conduct)**

The State Services Commission's Standards of Conduct state that we must act lawfully and objectively and we must avoid any activities, work or non-work that may harm the reputation of our organisation <https://mvcot.ssi.govt.nz/support-at-work/policy.html>.

Allegations about staff behaviour may have a negative impact on the reputation of Oranga Tamariki and may also be incompatible with the staff member's job or may impact on other staff members. This may be seen as a breach of the Standards of Conduct and an employment investigation may occur.

### **Potential Standards of Conduct breach and employment investigation**

Human Resources will work with the manager of the employee of concern. If an employment investigation is required, Human Resources will advise the next steps and continue to provide advice and assistance to the employee's manager until the matter is brought to a conclusion.

Where possible and as necessary, the responsible manager and Human Resources should work with staff and/or the Police investigating the allegation of abuse to ensure that their respective investigation processes are not compromised.

Legal Services is also available to provide advice to managers (via Human Resources) as required.

### **Confidentiality and information sharing**

Human Resources will advise on issues or concerns in regard to confidentiality and the employment investigation.

### **Support for staff**

Staff can expect to be supported by their manager and can access EAP for further support if required. Click on the link below for further information on EAP.

<http://doogle.ssi.govt.nz/working-here/keeping-healthy-and-safe/health-and-safety-in-the-workpalce/your-wellbeing/eap-employee-assistence-programme.html>

### **Reporting to other relevant agencies**

Oranga Tamariki will advise the Board if it considers that a registered social worker may be unable to adequately perform the functions required to practice social work satisfactorily, although a cautious approach should be taken to reporting allegations that have not been investigated/substantiated.<sup>4</sup>

Managers should seek guidance from Human Resources before advising the Board to help manage issues/risks of over disclosure/breach of privacy.

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<sup>4</sup> Section 51 of the Social Workers Registration Act 2003.

## Appendix 2: Other relevant resource material

Below is a list of existing Oranga Tamariki policies and procedural information related to the Child Protection Policy. It also refers to existing legislation and sources of further information.

- The *Oranga Tamariki Act 1989* relates to tamariki who are in need of care or protection, or who offend against the law.
- The Oranga Tamariki and New Zealand Police *Child Protection Protocol, Joint Standard Operating Procedures* defines the roles of each organisation and sets out processes for working together when responding to situations of child abuse that may constitute a criminal offence.  
<https://practice.orangatamariki.govt.nz/assets/documents/policy/caring-for-children-and-young-people/final-child-protection-protocol.pdf>
- The Vulnerable Children Act 2014 makes significant changes to protect tamariki and help them thrive. It supports the Government in setting priorities for improving the wellbeing of tamariki and ensures that agencies work together to improve the wellbeing of tamariki.
- The [Family Violence Act 2018](#) (Protection Orders).
- The *Safer Organisations – Safer Children* guidelines, developed under the Children’s Action Plan, outline what a good child protection policy should contain along with links to supporting resources. They are intended to build on existing expertise and give organisations an opportunity to reflect on their current policies and practices  
<https://www.orangatamariki.govt.nz/assets/Uploads/Safer-Recruitment-Safer-Children.pdf>
- The Care of Children Act 2004  
<http://www.legislation.govt.nz/act/public/2004/0090/latest/DLM317233.html?src=qs>
- Victims’ Rights Act 2002  
<http://www.legislation.govt.nz/act/public/2002/0039/latest/DLM157813.html?src=qs>
- Disabled children  
<https://www.gov.uk/government/publications/safeguarding-disabled-children-practice-guidance>
- The United Nations Convention on the Rights of the Child (UNCROC)  
<http://www.msd.govt.nz/about-msd-and-our-work/publications-resources/monitoring/uncroc/>
- Office of the Children’s Commissioner <http://www.occ.org.nz/>